



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director of Regional Planning

Dennis Slavin
Chief Deputy Director,
Regional Planning

REPORT TO THE REGIONAL PLANNING COMMISSION

DATE ISSUED:	July 8, 2021	
HEARING DATE:	July 21, 2021	AGENDA ITEM: 6
PROJECT NUMBER:	R2012-02971-(5)	
PERMIT NUMBER(S):	CUP 201200163	
SUPERVISORIAL DISTRICT:	5	
PROJECT LOCATION:	32222 Agua Dulce Canyon Road	
OWNER:	Ben and Reef Gardens Inc.	
APPLICANT:	Shaul Yakovi	
CASE PLANNER:	Richard Claghorn, Principal Regional Planner rclaghorn@planning.lacounty.gov	

RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

The above-identified item is an appeal to the Hearing Officer's denial due to inactivity on April 20, 2021 of the Conditional Use Permit (CUP). The CUP is to authorize a special event facility, caretaker's residence, and related facilities in the R-R (Resort and Recreation, One Acre Minimum Required Lot Area) Zone and Soledad Zoned District. The Department of Regional Planning Staff ("Staff") recommends that the Regional Planning Commission ("Commission") deny the appeal and affirm the Hearing Officer's action to deny Project R2012-02971 / CUP 201200163 based in the Draft Findings (Exhibit A –Draft Findings) and the attached report to the Hearing Officer along with the findings of the Hearing Officer.

Staff recommends the following motion:

SUGGESTED MOTION:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING, DENY THE APPEAL, AND AFFIRM THE HEARING OFFICER'S ACTION ON CONDITIONAL USE PERMIT NUMBER 201200163 SUBJECT TO THE ATTACHED FINDINGS.

PROCEEDINGS BEFORE THE HEARING OFFICE

A discussion item for denial for inactivity of the CUP was held online on April 20, 2021 before the Hearing Officer. Staff gave a presentation about the project, including a description of numerous requests for the information needed to process the CUP and recommended denial of the pending application due to inactivity. Staff also mentioned additional correspondence received from the applicant's attorney, Mr. Steve Kaplan, on the day prior to the hearing which was provided to the Hearing Officer in a supplemental hearing package and additional information received from him on the day of the hearing which was received too late to include in the supplemental hearing package. After the presentation by Staff, the Hearing Officer asked Staff if there was a pending Zoning Enforcement case still open on the project site, and Staff answered in the affirmative. Mr. Kaplan spoke in support of the project and requested that the Hearing Officer provide additional time so that a meeting could be held with the County Departments reviewing the project in order to review changes that the applicant proposes to significantly reduce the scope of the project. No other speakers testified. The Hearing Officer determined that the applicant had been provided ample opportunities to provide the requested information needed for the project but had failed to do so, deemed the application inactive, denied the CUP application, and closed the public hearing. On April 29, 2021 an appeal to the Regional Planning Commission ("Commission") of the Hearing Officer's denial due to inactivity was filed by the applicant.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Pursuant to Section 22.222.120 of the County Code, the community was properly notified of the public hearing by mail, newspaper (The Signal and La Opinion), and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website. On May 20, 2021, a total of 37 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as 26 notices to those on the courtesy mailing list for the Soledad Zoned District.

COMMENTS RECEIVED

A letter to Staff dated June 28, 2021 and previous email correspondence was received from the Agua Dulce Town Council and has been included in this hearing package. An email from a neighbor who opposes the Project is also included in this hearing package.

REASONS FOR APPEAL

The applicant has appealed the Hearing Officer's denial in order to continue working with Staff and other County departments on the CUP. No new information has been provided by the applicant since the denial that would change Staff's recommendation or justify reversing the Hearing Officer's action.

Report

Reviewed By:



Samuel Dea, Supervising Regional Planner

Report

Approved By:



Mitch Glaser, Assistant Administrator

Attachments:

Hearing Officer Package

Supplemental Hearing Officer Package

Denial Package

Declaration of Steve Kaplan 4-20-21

Declaration of Richard Claghorn 4-26-21

Appeal Form

Revised Draft Findings

Agua Dulce Town Council Letter

Email Correspondence



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director of Regional Planning

Dennis Slavin
Chief Deputy Director,
Regional Planning

DENIAL DUE TO INACTIVITY REPORT TO THE HEARING OFFICER

DATE ISSUED:	April 8, 2021	
HEARING DATE:	April 20, 2021	AGENDA ITEM:6
PROJECT NUMBER:	R2012-02971	
PERMIT NUMBER(S):	Conditional Use Permit ("CUP") 201200163	
SUPERVISORIAL DISTRICT:	5	
PROJECT LOCATION:	32222 Agua Dulce Canyon Road, Agua Dulce	
OWNER:	Ben and Reef Gardens, Inc.	
APPLICANT:	Shaul Yakovi	
CASE PLANNER:	Richard Claghorn, Principal Regional Planner rclaghorn@planning.lacounty.gov	

Item No. 6 is an application for a CUP to authorize a special event facility, caretaker's residence, overnight accommodations, and related appurtenant facilities. The project site is located at 32222 Agua Dulce Canyon Road in the Agua Dulce community.

RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

The CUP application was filed on December 19, 2012 to establish a permanent special event facility and related uses. Refer to the attached timeline showing details of the permitting history on the project site and key dates and other details of previous correspondence, site visits, and other events related to the processing of the current CUP application. Regional Planning staff ("Staff") has made repeated attempts to inform the applicant of the information that is required to proceed with their application for a CUP. A correction letter detailing the information needed to process the application, including the required CUP referral fees and Environmental Assessment fees, was sent to the applicant on June 13, 2013. Subsequent correction letters were sent on May 12, 2015, July 15,

2015, March 23, 2016 (with modified revised versions of this letter sent on August 10, 2016 and May 24, 2017), February 2, 2019, and September 9, 2020. The applicant provided some of the required information, but the majority of the required items were not submitted, so most of the requested items were repeated in multiple correction letters.

CUP referral fees that were requested in 2013 were not paid until April 4, 2019. After these referral fees were paid, consultation was conducted for the project with the Los Angeles County Department of Parks and Recreation (DPR), Department of Public Health (DPH), Department of Public Works (DPW), and Fire Department (FD). Letters were provided by DPH, DPW, and FD related to the CUP requirements for each department, and these letters were provided to the applicant on August 15, 2019 and August 21, 2019. These letters included requests for the following additional information: FD-revisions to the site plan to demonstrate compliance with Fire Code access requirements, additional information to determine the fire flow, fire hydrant, and water requirements, and a preliminary fuel modification plan; DPH-reports to demonstrate an adequate potable water supply, reports to demonstrate adequacy of onsite wastewater treatment system, plans for Food Plan Check Program, plans for pool facilities, and a noise study; DPW-traffic access management study, trip generation study, hydrology report, Low Impact Development Plan, geotechnical study, site plan revisions to show line of site, easements, removal of obstructions in the right of way and other information. To date, the applicant never paid the required Environmental Assessment fee for the Initial Study or the related Environmental Assessment referral fee for DPW. The correspondence dated September 9, 2020 requesting project revisions and additional information, is attached, along with the previous correction letters, letters provided by DPH, DPW, and FD, a Notice of Denial letter, and pertinent emails.

The required Certificate of Compliance first requested in 2013 has still not been filed. A timeline summarizing the history of previous permits related to the project site, the CUP application history, and key dates and events related to the project is attached as a separate document for reference. Additionally, staff spoke to the applicant by telephone on September 30, 2020 to discuss the letter dated September 9, 2020. Based on communications with DPH, DPW, and FD, the applicant has not provided any of those departments with the information they require to process the CUP. Staff has not received the requested information and as a result, is unable to process the application.

Section 22.222.100 (Denial of Inactive Application) of the County Code (Zoning Ordinance) provides that the Hearing Officer may deny, without public hearing, an application for a CUP if such application does not contain the required information contained in Sections 22.222.070 (Application – Information Required) and 22.222.090 (Initial Application Review) of the County Code. Due to the applicant's repeated failure to provide requested information, submittal of required fees and inability to demonstrate progress on the CUP application, further processing of the CUP is not possible at this time. Outstanding items needed to continue processing the application include all of the information listed above from FD, DPH and DPW, as well as most of the information from the Regional Planning letter dated September 9, 2020. Therefore, Staff recommends that

CONDITIONAL USE PERMIT No. 201200163 be denied pursuant to the attached findings.

SUGGESTED MOTION:

I, THE HEARING OFFICER, DENY CONDITIONAL USE PERMIT NUMBER 201200163 SUBJECT TO THE ATTACHED FINDINGS.

Report
Reviewed By:



Samuel Dea, Supervising Regional Planner

Report
Approved By:



Mitch Glaser, Assistant Administrator

Attachments: Draft Denial Findings
Correspondence
Project Site History Timeline

**DRAFT FINDINGS AND ORDER OF THE HEARING OFFICER
COUNTY OF LOS ANGELES
PROJECT NO. R2012-02971-(5)
CONITIONAL USE PERMIT NO. 201200163**

1. **ENTITLEMENT REQUESTED.** The applicant, Shaul Yakovi, is requesting a Conditional Use Permit ("CUP") to authorize a special event facility in the R-R (Resort and Recreation Zone) Zone pursuant to Los Angeles County ("County") Code Section 22.40.220 in the Zoning Code at the time the CUP was filed on December 19, 2012. The zoning of the project site was changed from R-R to A-1-2 (Light Agricultural, Two-Acre Minimum Required Lot Area) effective December 27, 2012, which was also the effective date of the current Santa Clarita Valley Area Plan. Because the CUP application was filed prior to effective date, it was allowed to be reviewed under the R-R Zone, the former Santa Clarita Valley Area Plan, and the other applicable Zoning Code requirements then in effect.
2. **MEETING DATE.** April 20, 2021
3. **PROCEEDINGS BEFORE THE HEARING OFFICER.** *To be inserted after the public meeting to reflect meeting proceedings.*
4. **LOCATION.** 32222 Agua Dulce Canyon Road, Agua Dulce (Assessor's Parcel Number ("APN") 3212-007-025, 3212-007-026, 3212-007-027, 3212-007-028, and 3212-008-054)
5. The project was filed on December 19, 2012. Since the application was filed, staff of the County Department of Regional Planning ("staff") has asked the applicant for additional materials needed to proceed with the project.
6. The first correction letter from staff was dated June 13, 2013. At the time the CUP was submitted and when the first letter was written, the project site included eight APNs, including the five APNs listed above as well as 3212-004-012, 3212-008-052, and 3212-008-054. This letter instructed the applicant to submit CUP referral fees for other County Departments (Los Angeles County Department of Parks and Recreation (DPR), Department of Public Health (DPH), and Fire Department (FD), the Environmental Assessment-Initial Study fee and related referral fee for the Department of Public Works (DPW), an application for a Certificate of Compliance (COC), and make numerous corrections to the site plan, application form, project description, and submit other required application materials.
7. The second correction letter from staff was dated May 12, 2015. By this time, three of the original APNs comprising the project site were no longer owned by the applicant. This correction letter was sent to request an updated site plan and related application materials to reflect the change of ownership, as well as the other required information that had still not been provided. This letter listed a due date of August 12, 2015 and stated that the CUP application may be denied due to inactivity if the required information was not provided by this date.

8. A third correction letter from staff was dated July 15, 2015. Revised plans had been provided from the applicant showing the current five APNs while eliminating the APNs which were no longer part of the project ownership. However, the project description had not been revised to reflect this change and most of the other required information had not been provided, including the required fees. This letter listed a due date of October 15, 2015 and stated that the CUP application may be denied due to inactivity if the required information was not provided by this date.
9. A fourth correction letter from staff was dated March 23, 2016. The due date had been extended prior to this date, and the applicant had provided some of the requested materials, although most of the requested items had still not been provided and some required fees, such as the CUP Referral fees, Environmental Assessment Fee and related DPW referral fee, and COC fee, had still not been paid. This letter listed a due date of June 20, 2016 and said the project may be denied due to inactivity if the required information was not provided by this date. This correction letter was sent again to the applicant on August 10, 2016 with some items having been checked off or addressed, although most of the items remained unresolved. On March 24, 2017 the letter was sent to the applicant again to reflect the current fee schedule.
10. On December 3, 2018 staff sent an email to the applicant stating that the CUP application could be scheduled for denial if the required CUP referral fees were not paid by February 4, 2019.
11. On February 6, 2019, with the CUP referral fees still unpaid, a fifth correction letter was sent to the applicant. This letter listed all of the required items that were still outstanding and said the CUP application will be denied due to inactivity unless the necessary items were provided by May 6, 2019, including the CUP referral fees.
12. On April 4, 2019 the applicant paid the CUP referral fees. Staff consulted with DPH, DPW, FD, and DPR for the CUP application. DPR cleared the CUP on July 16, 2019 without providing a letter. Letters were received from DPH, DPW, and FD, which listed the information that was needed from each department in order for these departments to clear the CUP for public hearing. These letters were provided to the applicant on August 15, 2019 and August 21, 2019 and the applicant was instructed to work with each department directly to address the issues listed in the letters.
13. The County Fire Department sent a letter on August 8, 2019 stating that there are pending items that must be addressed. The County Department of Public Works and County Department of Public Health sent letters on August 14, 2019 stating that there are pending items that must be addressed. These letters included requests for the following additional information: FD-revisions to the site plan to demonstrate compliance with Fire Code access requirements, additional information to determine the fire flow, fire hydrant, and water requirements, and a preliminary fuel modification plan; DPH-reports to demonstrate an adequate potable water supply, reports to demonstrate adequacy of onsite wastewater treatment system, plans for Food Plan Check Program, plans for pool facilities, and a noise study; DPW-traffic access management study, trip generation study, hydrology report, Low Impact Development Plan, geotechnical study,

site plan revisions to show line of site, easements, removal of obstructions in the right of way and other information. The above County Departments have still not received the requested information or materials to enable further project evaluation.

14. On January 22, 2020, staff emailed the applicant to inquire about the progress of the CUP with regard to the other County departments. A copy of the February 6, 2019 correction letter was also resent, along with updates to the fees which were still unpaid. There had been no progress on addressing the items from the letter except for payment of the CUP referral fees on April 4, 2019. Staff did not receive any response from the applicant to the January 22, 2020 email.
15. On September 9, 2020 a sixth correction letter was sent by staff to the applicant. This letter was essentially the same as the one sent on February 6, 2019, except the CUP referral fees were no longer listed, the other fees were updated, and the letters from DPH, DPW, and FD for the CUP consultation were referred to and attached. The September 9, 2020 letter stated that the CUP application will be denied unless the necessary information is provided by October 13, 2020.
16. At the request of the applicant, on October 8, 2020 staff sent an email to the applicant extending the deadline to November 12, 2020 to provide an updated site plan and project description in order to keep the application from being denied.
17. After receiving a revised site plan on November 12, 2020, on November 19, 2020 staff emailed the applicant with a list of site plan corrections and a request for a revised project description to reflect changes to the site plan, to be provided as soon as possible.
18. A revised site plan was provided to staff by the applicant on December 28, 2020 but no project description was provided. Staff sent an email on February 4, 2021 with a list of corrections needed for the site plan as well as another request for the project description and a request to submit the necessary information to DPH to meet their drinking water and onsite wastewater treatment system requirements. This email gave a deadline of February 18 for providing this information in order to keep the CUP application active and avoid scheduling it for denial due to inactivity.
19. On February 11, 2021 Staff offered to set up a meeting with the other County departments reviewing the CUP if an accurate revised site plan and updated project description were provided by February 18, 2021. The purpose of the meeting would have been to determine if the changes to the project to reduce its scope to the existing uses and structures would change the requirements by DPW, DPH and FD that had been provided for the project in 2019, and to assess the viability of the project.
20. On February 17, 2021 the applicant submitted a revised site plan and project description. However, the site plan still required further revisions and the project description was not consistent with the site plan and included additional uses beyond what currently exists on the project site. Staff emailed the applicant on February 24,

2021 with a request for further corrections to the site plan and project description. A due date of March 11, 2021 was provided.

21. On March 9, 2021, the applicant submitted a revised site plan. However, no project description was provided. Because the project description had not been provided by the March 11, 2021 due date, and there had been no progress in addressing the other requirements for the CUP detailed in the September 9, 2020 letter and in previous letters, or in addressing the requirements of the other County departments, staff sent a notice to deny the project due to inactivity on March 18, 2021. This notice listed a hearing date of April 20, 2021 and stated that the applicant must submit written correspondence to staff by April 18, 2021 in order to request to keep the project active and to avoid being scheduled for denial.
22. Although a revised site plan was provided on March 9, 2021, a revised project description and the other previously requested information have not been provided, and staff is unable to further evaluate the project. The applicant has been given numerous extensions over the years since the application was filed in 2012 and has been given plenty of time and opportunities to provide the information necessary for staff to evaluate the project and the CUP request. However, the applicant has failed repeatedly to provide the requested information, while providing only incomplete and partial information, failing to pay all of the required fees, failing to file a COC application, and failing to make demonstrable effort to work with staff and with the other County departments to resolve the issues and show progress regarding the pending CUP application.
23. Staff sent a letter to the applicant dated March 18, 2021 informing the applicant that pursuant to Section 22.222.100 (denial for lack of information) of the County Code, the case would be scheduled before a Hearing Officer for denial due to inactivity on April 20, 2021.
24. The March 18, 2021 letter also directed the applicant to contact staff within 30 days, by April 18, 2021, for the CUP application to remain active.
25. The applicant has failed to submit the required materials, including all of the information requested by FD, DPH, and DPW in 2019, and most of the information in the September 9, 2020 Regional planning letter, including an acceptable project description consistent with the site plan, Environmental Assessment fee and related DPW referral fee, COC application fee, articles of incorporation, site photographs and photo key map, within the required timeframe, which was by April 18, 2021.
26. **ENVIRONMENTAL.** An environmental determination has not been made, since action on the project is neither being approved nor undertaken. Therefore, pursuant to the California Public Resources Code Section 15270, the California Environmental Quality Act does not apply to projects which a public agency rejects or disapproves. Therefore, the project qualifies as a Statutory Exemption (Projects Which Are Disapproved) and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

THEREFORE, in view of the findings of fact and conclusions presented above, CUP No. 201200163 is **DENIED**.

SD:RC
4/5/21



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

June 13, 2013

Shaul Yakovi/Erez Karni
32222 Agua Dulce Canyon Rd.
Agua Dulce, CA 91390

SUBJECT: REQUEST FOR REVIEW MATERIALS

Project: R2012-02971 – (5)

Case: CUP No. 201200163

Address: 32222 Agua Dulce Canyon Rd.

Dear Applicant:

The Department of Regional Planning is currently reviewing the project identified above and has determined that additional materials and information are required before we can proceed further. Please address the following items and submit the necessary additional items:

1. One (1) copy of the land use map (**folded**). Land uses within a 500 foot radius of the project site must be shown. The land use map must depict the land uses that currently exist within 500 feet of the property. See item 12 on the Zoning Permits checklist for details.
2. One (1) copy of the articles of incorporation. The articles of incorporation are required to validate that the owner's signature is from an authorized person within the corporation.
3. Please provide additional color photographs of the proposed project area with a photo-key map. Number each photo and show the location/photo direction on the map. The photographs must be taken from ground-level perspective, not aerial views. Include photographs of all existing structures, areas of proposed structures, parking areas and other areas of the site to be developed. The photos provided show the dance pavilion canopy, entrance gate, existing office, handicap parking spaces, restroom structures, and pond on parcel 26. No photos of the existing structures on parcel 54 were provided. More photos are needed to provide a complete picture of existing site conditions.
4. Guest house+12C is located within a slope easement. Structures are not allowed within a slope easement. Guest houses 12D, 12E, and 12F are located within a recorded private driveway. See the Assessor's map for the driveway location. Structures are not allowed within this private driveway-fire lane easement. The structures must be removed or relocated.
5. The structures being called guest houses+on the plans don't meet the county guest house requirements. Guest houses are intended as non-rental structures accessory to single-family residences, are limited to one per property, and are not allowed to have kitchen facilities. The proposed structures don't fit the guest house definition, but you need to clarify how these structures are intended to be used in a detailed project description.
6. Two sets of elevation plans of the houses were provided. One of them shows a 2,400 square foot house size and the other says the house size is 3,500 square feet. None of the houses shown on the site plan are 2,400 square feet. Please indicate whether any 2,400 square foot houses are proposed. There are six 2,400 square foot structures shown on the

site plan, but they are not houses. Also, the 2,400 square foot structures on the site plan appear to be 30q x 40q in size, apparently with two stories. The 2,400 square foot house on the elevation plan appears to be approximately 42q x 74q so it's not clear what this drawing represents.

7. The elevation plans for the houses show garages. Please show the driveways leading to the garages on the site plan.
8. Please provide floor plans and elevation plans for all buildings. Some were provided, but most were not. Plans must show the building dimensions and must be drawn to scale.
9. Elevation plans were provided for a 1,000 square foot (25q x 40q) structure, but it's not clear which structure it is intended to represent. Six 1,000 square foot buildings are shown on the site plan but none match the same dimensions. Using the scale, approximate dimensions appear to be 32q x 32q for building #8, 12q x 47q for buildings #21 and #42, 18q x 60q for buildings #22 and #23, and 27q x 50q for building #43. Please make sure building dimensions are accurate and consistent on the site plan, floor plans, and elevations for all structures.
10. The elevation plans and floor plans were provided for the cabins. They are shown with a 15q width on the front and 18q on the sides. On the site plan, most of the cabins are oriented with an 18q width at the front and 15q on the sides. Since each cabin is 14q wide inside with 6+ walls on each side according to the floor plan, the 9-cabin structure at the northwest part of parcel 25 should be 18q x 131q in size (14q x 9q = 126q plus 5 additional feet for the walls). Instead the structure scales out to approximately 15q x 162q. The 10-cabin structure next to it has dimensions of 18q x 145q 6+ on the floor plan. However, on the site plan, this same structure appears to be 15q x 180q. Most of the other cabin structures have the same problem on the site plan. If the cabins are to be oriented with an 18q width for each cabin at the front, then the floor plan and elevation plans need to be revised so that they are consistent with the site plan. If they will be oriented in different directions, then this needs to be clarified. It is important that the buildings be depicted accurately on all the plans to avoid problems during and after the processing of the case.
11. The project description gives the project area as 94 acres. However, adding up the areas of the 8 parcels listed on the Assessor's maps gives a total of 90.63 acres. Please provide a survey or other evidence to show the area of the parcels is in fact 94 acres, or revise the project description with the correct lot size.
12. In the project description (page 2, paragraph 3) it says the existing hillsides would remain in their natural state. No proposed grading is listed on the application form. However, there will clearly need to be significant amounts of grading to accomplish the project. The previous plot plan approval (RPP 200900080) included 12,983 cubic yards of cut and 3,214.88 cubic yards of fill. Proposed export was listed as 682.7 cubic yards. This grading was related to a proposed parking area that has not yet been started, and which is still proposed. It doesn't appear a grading permit for this work will be issued prior to the site plan expiration on August 24, 2013. Since this parking area is still proposed, and since it also appears much other grading is needed, a grading plan is needed that shows all of the proposed grading. The banquet hall (building 9) is located on sloping terrain, as are the guest cabins and many of the other proposed structures and the basketball and tennis courts, and it appears grading will be needed for these. If a soccer field is included that will also require significant grading. You'll need to provide a detailed grading plan to depict all of the grading involved in the project, and include this information in the revised project description. Please provide the total amount of cut and fill (in cubic yards) as well as indicating the total square footage of the areas to be graded.
13. In the project description (second paragraph) it says all proposed improvements will be kept out of the flood zone. However, it appears a number of buildings and other improvements are located in the flood zone, including the banquet hall (#3), restrooms (#4), dining pad (#11), tennis and basketball courts, spa (#31 & #33), restroom (#35), office (#36), and snack bar (#44). Public Works will need to review the flood zone issues, but you should be aware that these buildings and improvements may need to be removed or relocated.

14. The application form lists the city for the project location mailing address as Santa Clarita, but the Assessor's records show it as Agua Dulce.
15. The project description mentions some proposed uses that are not labeled on the site plan. No equestrian facilities or stables are identified on the site plan, even though they are mentioned in the description. If any such facilities are existing or proposed, please show them on the site plan. Indicate how many horses are to be kept there and show the stalls on the floor plan of any stables. Describe the purpose of the stables. Are they for keeping horses owned by the owner, to provide horse rides for guests, boarding of horses, or some other purpose? Please provide a description of how the equestrian facilities are to be used and show where they are located.
16. The description mentions a juice bar, but this is not shown on the plan. Is this use the same as the snack bar?
17. A soccer field is mentioned in the description but is not shown on the site plan.
18. The description mentions swimming pools and fishing ponds. Four pools are shown and one pond, but it is not clear which ones are for fishing and which are for swimming. Please label them.
19. Include the existing and proposed floor plans for the restaurant structure (previously a snack bar) and clearly show any alterations being proposed for the building, and for any other existing structures being altered.
20. The project description says 42 buildings would be constructed or rehabilitated. The actual number of structures is considerably higher, as it appears there are actually 62 structures based on the site plan. The guest cabins on parcel 25 are counted as one structure, even though they are shown as six separate buildings. The guest houses also need to be counted as separate individual buildings. The guest cabins on parcels 52 & 54 are also counted as a single building even though they are depicted as 9 different structures. The RV parking (#39) does not appear to be a building and should not be counted as a building. The occupant load list shows guard shacks numbered as #40 & 41. However, on the site plan there is no building #41 and two with the #40. The dining pad (#11) does not appear to be a building, but the kitchen adjacent to it appears to be a building. Please include plans for this kitchen building along with all other buildings on the site that are proposed or will have any proposed work to be done on them.
21. Guard shack #40 west of parcels 54 and 28 is in the public right of way, and so is part of the gate. They may not be located within the public right of way or any future dedication area. Also, the guard shack is listed as 150 square feet on the site plan, even though it appears to be about 35 square feet (5x7).
22. Guard shack #40 on parcel 12 should be repositioned so that it is outside of the driveway or it should be in the middle of the driveway with evenly spaced lanes on each side. It also should be parallel with the direction of the driveway instead of being skewed at an angle.
23. The proposed signs are shown within the public right of way area. The sign locations should be revised to match the locations approved under the amendment to RPP 200900080 approved on 2/19/13.
24. The project description on the application mentions installing a monument sign. Is this a separate sign from the ones previously approved on 2/19/13? If so, please show the sign location and include a sign plan.
25. On the application form the description mentions a winery including testing (tasting?) and selling. No winery is shown on the site plan nor are any facilities for wine tasting or sales identified. If the winery is to be included, it needs to be included on the site plan and included in the detailed project description.
26. Please indicate whether or not massage services will be performed by technicians or

therapists holding licenses from the California Massage Therapy Council (CAMTC).

27. The mobile home (#30) should be labeled as caretaker's mobile home on the site plan.
28. Label all buildings as (E) existing or (P) proposed on the site plan. If it is existing but remodeling is proposed, then label it (E/R) existing/remodel. If an addition is proposed, label it (E/A) existing/addition.
29. The parking summary on the site plan is not accurate. The square footages are not listed correctly, the required parking is incorrect, and most uses are not included. It lists 393 spaces provided, which appears to be accurate based on the site plan. However, the project description (page 2, first paragraph) says parking for 500 vehicles would be provided on site, including a parking lot for 350 vehicles. The largest single parking lot has 167 spaces. The 393 total spaces shown are far short of what is required. A preliminary parking matrix was prepared listing all of the proposed uses (see attached). The total number of required spaces, based on this preliminary analysis, is 845. It could be reduced if changes or corrections are made, but the number of parking spaces will need to be increased substantially unless many of the uses are reduced or eliminated. Please provide a similar parking matrix incorporating any changes or corrections made to the project.
30. The application form states that new building construction will have an area of approximately 112,000 square feet. Please provide a detailed breakdown listing all of the structures and the size of each. Based on the information provided, I estimated the total of the new and existing structures as 106,621 square feet. However, this figure will need to be adjusted if any changes or corrections are made.
31. Please clarify the use of the snack bar. Indicate what types of food items will be sold there and whether it is similar to a take-out restaurant, juice bar, or a small retail food store.
32. Please explain what the purpose of the shacks on parcel 54 is (buildings #25 and #29 and the un-numbered shack next to the guest cabins).
33. Please resolve the Public Health Environmental Health concerns from the letter dated 2/28/13 and resolve the violations with them.
34. A Certificate of Compliance (COC) is required for APN 3212-008-051, -052 & -054 and APN 3212-004-012 because new buildings are proposed on those parcels and there was no previous tract or parcel map creating the parcels. A single COC could be filed on all four of these parcels, or a separate one could be filed on each. A copy of the application form is attached.
35. A covenant to hold property as one parcel is required. A covenant was done for the north four parcels for RPP 200900080, but since there are buildings crossing lot lines and shared parking and facilities, all 8 parcels will need to be tied together with a covenant to hold as one parcel. A copy of the draft covenant is attached. The complete legal description must be attached as Exhibit A, and it must be signed, notarized and recorded. This can be done after the public hearing.
36. This project is subject to the Rural Outdoor Lighting District Ordinance (Dark Skies). See the attached handout for a summary of the requirements. You can read more details about it on our website at this link:
http://planning.lacounty.gov/assets/upl/data/ord_outdoor-lighting-overview.pdf
37. This project is subject to the Green Building, Drought Tolerant Landscaping, and Low Impact Development (LID) ordinance requirements. Please read the attached handouts for a summary of these requirements. Please comply with these requirements and provide the following additional information:
 - a. Show the amount of existing and proposed impervious surfaces on each of the 8 parcels related to the project, in square feet. The application form lists an approximate impervious area total of 200,000 square feet, but a detailed breakdown is needed that shows how the total impervious area is calculated for both before and after the project.
 - b. Also include a landscape plan and show how much area will be devoted to drought-tolerant landscaping and non-drought-tolerant landscaping for each parcel, in square feet.
 - c. Please show at least three new 15-gallon trees for every 10,000 square feet of

developed area. At least 65% of the trees need to be from the drought-tolerant list. Existing trees that are 6 inches or more in diameter may be counted toward this total. See the following link for the drought tolerant list and Green ordinance details:

<http://planning.lacounty.gov/green>

38. One of the drought-tolerant requirements restricts the lawn area to a maximum of 5,000 square feet. Pursuant to Section 22.52.2270, the Director of the Department, without notice or a hearing, may grant a modification to the landscaping requirements of this Part 21 under the following circumstances:

1. When a project's topographic features, lot size, or other conditions make it unreasonable, impractical, or otherwise creates an unnecessary hardship to require compliance with these landscaping requirements; or
2. When the nature of a large scale or multi-lot project necessitates flexibility in the project design that impacts the landscaping for the project.

Please provide a burden of proof statement supporting the above findings to request a modification to the 5,000 square foot limit on lawn area. Please note that this procedure applies only to the requirements from the drought-tolerant ordinance (Part 21), which does not include the tree planting requirement listed in 37c above.

39. The site plan identifies an area for 55 RV parking spaces. However, it does not depict the individual spaces. Please show the RV spaces on the plan.
40. This project does not qualify for a categorical exemption under CEQA and requires an Initial Study. Please pay the Initial Study fee and required referral fees. You've already paid \$310 for the Environmental Assessment Initial Review. You'll need to pay an additional \$4,115 to cover the Environmental Assessment Initial Study (Negative Declaration) fee and agency referral fees, including \$987 for Public Works and \$416 for Parks and Recreation. The \$310 you've paid for the Environmental Assessment will be deducted from the \$3,022 Initial Study (Negative Declaration) fee, for a balance of \$2,712 ($\$2,712 + \$987 + \$416 = \$4,115$). The Initial Study is required to evaluate the impacts to the environment of the proposed project and will require consultation with other agencies. Additional information may be requested to complete the environmental review.
41. The pending Zoning Enforcement case must be resolved prior to scheduling of a public hearing for the case.
42. The project description mentions concerts and other large events. Please include in the description the maximum number of people who would attend a concert or large event on the property, and an estimate of the largest total number of people who would be on the property (all 8 parcels) at any one time, including employees and all other persons.

A One-Stop Counseling meeting is recommended for this project due to its size and complexity and the numerous agencies involved. This is a meeting held each month at Department of Public Works (DPW) headquarters in Alhambra where the applicants can meet with multiple County agencies with regards to proposed projects to help applicants better understand the requirements of each agency. It will help to better coordinate the project and help resolve issues. The fees for the One-Stop are \$253.25 for DPW, \$84 for Fire, and \$129 for Public Health. The \$328 Regional Planning fee will be waived since you've filed a pending CUP already. The total fees for the One-Stop are \$466.25 if all the agencies attend. Although the One-Stop is not required, it is strongly recommended for this project. A copy of the One-Stop application form is attached for reference.

A separate meeting with Regional Planning will also probably be necessary to help address the issues and requirements mentioned in this letter.

Please note that the Agua Dulce Town Council is a local body that has reviewed and provided comments on land use projects in Los Angeles County. To present before the Agua Dulce Town Council, please contact the Agua Dulce Town Council at the following address to arrange a meeting: 33201 Agua Dulce Canyon Road Box #8, Agua Dulce, CA 91390.

Failure to disclose all pertinent information for consideration in the review of this case could result in delays, continuation of public hearings, new environmental analysis and/or additional costs. Additional materials may be required pending the outcome of consultation with other agencies.

If you have any questions regarding this matter, please contact Richard Claghorn at (213) 974-6443, from 7:30 a.m. to 5:30 p.m., Monday through Thursday or via email at rclaghorn@planning.lacounty.gov. Our offices are closed on Fridays.

Sincerely,

Department of Regional Planning
Richard J. Bruckner
Director

Richard Claghorn, Principal Regional Planning Assistant
Zoning Permits North Section

ST:RC



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

May 12, 2015

Shaul Yakovi/Erez Karni
32222 Agua Dulce Canyon Rd.
Agua Dulce, CA 91390

SUBJECT: REQUEST FOR REVIEW MATERIALS

Project: R2012-02971 – (5)

Case: CUP No. 201200163

Address: 32222 Agua Dulce Canyon Rd.

Dear Applicant:

The Department of Regional Planning is currently reviewing the project identified above and has determined that additional materials and information are required before we can proceed further. None of the information requested in the June 13, 2013 has been received. This is an update to the previous letter. Please address the following items and submit the necessary additional items by **August 12, 2015** or the project may be **DENIED** due to inactivity:

1. According to our records, the three southerly parcels are no longer owned by Ben and Reef Gardens. These parcels include Assessor's Parcel Number 3212-004-012, 3212-008-051, and 3212-008-052. The site plan, project description, application form, and other materials need to be updated to exclude these parcels and the structures, parking spaces, and other features proposed on them.
2. One (1) copy of the land use map (**folded**). Land uses within a 500 foot radius of the project site must be shown. The land use map must depict the land uses that currently exist within 500 feet of the property. See item 12 on the Zoning Permits checklist for details.
3. One (1) copy of the articles of incorporation. The articles of incorporation are required to validate that the owner's signature is from an authorized person within the corporation.
4. Please provide additional color photographs of the proposed project area with a photo-key map. Number each photo and show the location/photo direction on the map. The photographs must be taken from ground-level perspective, not aerial views. Include photographs of all existing structures, areas of proposed structures, parking areas and other areas of the site to be developed. The photos provided show the dance pavilion canopy, entrance gate, existing office, handicap parking spaces, restroom structures, and pond on parcel 26. No photos of the existing structures on parcel 54 were provided. More photos are needed to provide a complete picture of existing site conditions.
5. Guest house+12C is located within a slope easement. Structures are not allowed within a slope easement. Guest houses 12D, 12E, and 12F are located within a recorded private driveway. See the Assessor's map for the driveway location. Structures are not allowed within this private driveway-fire lane easement. The structures must be removed or relocated.
6. The structures being called guest houses+on the plans don't meet the county guest house requirements. Guest houses are intended as non-rental structures accessory to single-

family residences, are limited to one per property, and are not allowed to have kitchen facilities. The proposed structures don't fit the guest house definition, but you'll need to clarify how these structures are intended to be used in a detailed project description. If they are for short term guests, the term "guest units" should be used instead.

7. Two sets of elevation plans of the houses were provided. One of them shows a 2,400 square foot house size and the other says the house size is 3,500 square feet. None of the houses shown on the site plan are 2,400 square feet. Please indicate whether any 2,400 square foot houses are proposed. There are six 2,400 square foot structures shown on the site plan, but they are not houses. Also, the 2,400 square foot structures on the site plan appear to be 30x 40 on size, apparently with two stories. The 2,400 square foot house on the elevation plan appears to be approximately 42x 74 so it's not clear what this drawing represents.
8. The elevation plans for the houses show garages. Please show the driveways leading to the garages on the site plan.
9. Please provide floor plans and elevation plans for all buildings. Some were provided, but most were not. Plans must show the building dimensions and must be drawn to scale.
10. Elevation plans were provided for a 1,000 square foot (25x 40) structure, but it's not clear which structure it is intended to represent. Six 1,000 square foot buildings are shown on the site plan but none match the same dimensions. Using the scale, approximate dimensions appear to be 32x 32 for building #8, 12x 47 for buildings #21 and #42, 18x 60 for buildings #22 and #23, and 27x 50 for building #43. Please make sure building dimensions are accurate and consistent on the site plan, floor plans, and elevations for all structures.
11. The elevation plans and floor plans were provided for the cabins. They are shown with a 15 width on the front and 18 on the sides. On the site plan, most of the cabins are oriented with an 18 width at the front and 15 on the sides. Since each cabin is 14 wide inside with 6 walls on each side according to the floor plan, the 9-cabin structure at the northwest part of parcel 25 should be 18x 131 in size (14x 9 = 126 plus 5 additional feet for the walls). Instead the structure scales out to approximately 15x 162. The 10-cabin structure next to it has dimensions of 18x 145 on the floor plan. However, on the site plan, this same structure appears to be 15x 180. Most of the other cabin structures have the same problem on the site plan. If the cabins are to be oriented with an 18 width for each cabin at the front, then the floor plan and elevation plans need to be revised so that they are consistent with the site plan. If they will be oriented in different directions, then this needs to be clarified. It is important that the buildings be depicted accurately on all the plans to avoid problems during and after the processing of the case.
12. The project description gives the project area as 94 acres. However, adding up the areas of the 8 parcels listed on the Assessor's maps gives a total of 90.63 acres. Since there are 3 parcels which now are no longer part of the project area, the project area needs to be updated. Based on Assessor's records, it appears the 5 remaining parcels have a combined area of 61.75 acres.
13. In the project description (page 2, paragraph 3) it says the existing hillsides would remain in their natural state. No proposed grading is listed on the application form. However, there will clearly need to be significant amounts of grading to accomplish the project. The previous plot plan approval (RPP 200900080) included 12,983 cubic yards of cut and 3,214.88 cubic yards of fill. Proposed export was listed as 682.7 cubic yards. This grading was related to a proposed parking area that apparently has not yet been started, and which is still proposed. It doesn't appear a grading permit for this work was issued prior to the site plan expiration on August 24, 2013. Since this parking area is still proposed, and since it also appears much other grading is needed, a grading plan is needed that shows all of the proposed grading. The banquet hall (building 9) is located on sloping terrain, as are the guest cabins and many of the other proposed structures and the basketball and tennis courts, and it appears grading will be needed for these. If a soccer field is included that will also require significant grading. You'll need to provide a detailed grading plan to depict all

of the grading involved in the project, and include this information in the revised project description. Please provide the total amount of cut and fill (in cubic yards) as well as indicating the total square footage of the areas to be graded.

14. In the project description (second paragraph) it says all proposed improvements will be kept out of the flood zone. However, it appears a number of buildings and other improvements are located in the flood zone, including the banquet hall (#3), restrooms (#4), dining pad (#11), tennis and basketball courts, spa (#31 & #33), restroom (#35), office (#36), and snack bar (#44). Public Works will need to review the flood zone issues, but you should be aware that these buildings and improvements may need to be removed or relocated. The project description needs to be corrected.
15. The application form lists the city for the project location mailing address as Santa Clarita, but the Assessor's records show it as Agua Dulce.
16. The project description mentions some proposed uses that are not labeled on the site plan. No equestrian facilities or stables are identified on the site plan, even though they are mentioned in the description. If any such facilities exist or are proposed, please show them on the site plan. Indicate how many horses are to be kept there and show the stalls on the floor plan of any stables. Describe the purpose of the stables. Are they for keeping horses owned by the owner, to provide horse rides for guests, boarding of horses, or some other purpose? Please provide a description of how the equestrian facilities are to be used and show where they are located.
17. The description mentions a juice bar, but this is not shown on the plan. Is this use the same as the snack bar?
18. A soccer field is mentioned in the description but is not shown on the site plan.
19. The description mentions swimming pools and fishing ponds. Four pools are shown and one pond, but it is not clear which ones are for fishing and which are for swimming. Please label them.
20. Include the existing and proposed floor plans for the restaurant structure (previously a snack bar) and clearly show any alterations being proposed for the building, and for any other existing structures being altered.
21. The project description says 42 buildings would be constructed or rehabilitated. The actual number of structures is considerably higher, as it appears there are actually 62 structures based on the current site plan, although that figure includes the structures on the parcels that are no longer part of the project. The guest cabins on parcel 25 are counted as one structure, even though they are shown as six separate buildings. The guest houses also need to be counted as separate individual buildings. The guest cabins on parcels 52 & 54 are also counted as a single building even though they are depicted as 9 different structures. The RV parking (#39) does not appear to be a building and should not be counted as a building. The occupant load list shows guard shacks numbered as #40 & 41. However, on the site plan there is no building #41 and two with the #40. The dining pad (#11) does not appear to be a building, but the kitchen adjacent to it appears to be a building. Please include plans for this kitchen building along with all other buildings on the site that are proposed or will have any proposed work to be done on them. Please revise the description and correct any errors and inconsistencies and update as needed.
22. Guard shack #40 west of parcels 54 and 28 is in the public right of way, and so is part of the gate. They may not be located within the public right of way or any future dedication area. Also, the guard shack is listed as 150 square feet on the site plan, even though it appears to be about 35 square feet (5x7).
23. Guard shack #40 on parcel 12 should be repositioned so that it is outside of the driveway or it should be in the middle of the driveway with evenly spaced lanes on each side. It also

- should be parallel with the direction of the driveway instead of being skewed at an angle.
24. The proposed signs are shown within the public right of way area. The sign locations should be revised to match the locations approved under the amendment to RPP 200900080 approved on 2/19/13.
 25. The project description on the application mentions installing a monument sign. Is this a separate sign from the ones previously approved on 2/19/13? If so, please show the sign location and include a sign plan.
 26. On the application form the description mentions a winery including testing (tasting?) and selling. No winery is shown on the site plan nor are any facilities for wine tasting or sales identified. If the winery is to be included, it needs to be included on the site plan and included in the detailed project description.
 27. Please indicate whether or not massage services will be performed by technicians or therapists holding licenses from the California Massage Therapy Council (CAMTC).
 28. The mobile home (building #28) should be labeled as caretaker's mobile home on the site plan.
 29. Label all buildings as (E) existing or (P) proposed on the site plan. If it is existing but remodeling is proposed, then label it (E/R) existing/remodel. If an addition is proposed, label it (E/A) existing/addition.
 30. The parking summary on the site plan is not accurate. The square footages are not listed correctly, the required parking is incorrect, and most uses are not included. It lists 393 spaces provided, which appears to be accurate based on the current site plan. However, the project description (page 2, first paragraph) says parking for 500 vehicles would be provided on site, including a parking lot for 350 vehicles. The largest single parking lot shown on the site plan has 167 spaces. The 393 total spaces shown are far short of what is required. A preliminary parking matrix was prepared listing all of the proposed uses (see attached). The total number of required spaces, based on this preliminary analysis, is 846. It could be reduced if changes or corrections are made, but the number of parking spaces will need to be increased substantially unless many of the uses are reduced or eliminated. Please provide a similar parking matrix incorporating any changes or corrections made to the project.
 31. A revised parking analysis was done that excluded the uses and parking spaces on the three southerly parcels. The revised analysis eliminated buildings and parking that were completely or partially on the parcels no longer owned by Ben & Reef. Three of the guest cabins on parcel 54 were deleted since two of them encroached onto parcel 52 and another was less than 5 feet from the property line of parcel 52, which now has a different owner. According to the new analysis, which is attached, 793 parking spaces are required and only 309 parking spaces are shown. More parking is required, or you need to reduce the number and/or intensity of uses so that the parking provided will meet the requirements.
 32. The application form states that new building construction will have an area of approximately 112,000 square feet. Please provide a detailed breakdown listing all of the structures and the size of each. Based on the information provided, I estimated the total of the new and existing structures as 106,621 square feet. According to the revised analysis excluding the 3 southern parcels, the total structural area is 95,946 square feet. However, this figure will need to be adjusted if any changes or corrections are made.
 33. Please clarify the use of the snack bar. Indicate what types of food items will be sold there and whether it is similar to a take-out restaurant, juice bar, or a small retail food store.
 34. Please explain what the purpose of the shacks on parcel 54 is (buildings #25 and #29 and the un-numbered shack next to the guest cabins).
 35. Please resolve the Public Health Environmental Health concerns from the letter dated 2/28/13 and resolve the violations with them.
 36. A Certificate of Compliance (COC) is required for APN 3212-008-054 because new buildings are proposed on this parcel and there was no previous tract or parcel map creating the parcel and no prior COC. A copy of the application form is attached.
 37. A covenant to hold property as one parcel is required. A covenant was done for the north

four parcels for RPP 200900080, but since there are buildings crossing lot lines and shared parking and facilities, all 8 parcels will need to be tied together with a covenant to hold as one parcel. A copy of the draft covenant is attached. The complete legal description must be attached as Exhibit A, and it must be signed, notarized and recorded. This can be done after the public hearing.

38. This project is subject to the Rural Outdoor Lighting District Ordinance (Dark Skies). See the attached handout for a summary of the requirements. You can read more details about it on our website at this link:

http://planning.lacounty.gov/assets/upl/data/ord_outdoor-lighting-overview.pdf

39. This project is subject to the Green Building, Drought Tolerant Landscaping, and Low Impact Development (LID) ordinance requirements. Please read the attached handouts for a summary of these requirements. Please comply with these requirements and provide the following additional information:

- a. Show the amount of existing and proposed impervious surfaces on each of the 8 parcels related to the project, in square feet. The application form lists an approximate impervious area total of 200,000 square feet, but a detailed breakdown is needed that shows how the total impervious area is calculated for both before and after the project.
- b. Also include a landscape plan and show how much area will be devoted to drought-tolerant landscaping and non-drought-tolerant landscaping for each parcel, in square feet.
- c. Please show at least three new 15-gallon trees for every 10,000 square feet of developed area. At least 65% of the trees need to be from the drought-tolerant list. Existing trees that are 6 inches or more in diameter may be counted toward this total. See the following link for the drought tolerant list and Green ordinance details:

<http://planning.lacounty.gov/green>

38. One of the drought-tolerant requirements restricts the lawn area to a maximum of 5,000 square feet. Pursuant to Section 22.52.2270, the Director of the Department, without notice or a hearing, may grant a modification to the landscaping requirements of this Part 21 under the following circumstances:

1. When a project's topographic features, lot size, or other conditions make it unreasonable, impractical, or otherwise creates an unnecessary hardship to require compliance with these landscaping requirements; or
2. When the nature of a large scale or multi-lot project necessitates flexibility in the project design that impacts the landscaping for the project.

Please provide a burden of proof statement supporting the above findings to request a modification to the 5,000 square foot limit on lawn area. Please note that this procedure applies only to the requirements from the drought-tolerant ordinance (Part 21), which does not include the tree planting requirement listed in 37c above.

39. The project is subject to the Healthy Design Ordinance (HDO). Although the HDO was adopted after the submittal, its requirements are still applicable. The main requirement is that bicycle parking space needs to be provided. Based on the uses currently proposed on the 5 remaining parcels, a total of 13 short term and 8 long term bicycle parking spaces are required. This is based on the following ratios: one short term parking space per 40 guest rooms and one long term space per 20 guest rooms; one short term parking space per 5,000 square feet of other commercial buildings and one long term space per 12,000 square feet of other commercial buildings. Long term spaces must be covered, but short

term spaces don't need to be covered. Bicycle parking spaces need to be a minimum of 20 x 60 each, and bike racks need to be provided. See the attached handout for additional details on the bike parking.

40. The site plan identifies an area for 55 RV parking spaces. However, it does not depict the individual spaces. Please show the RV spaces on the plan.
41. This project does not qualify for a categorical exemption under CEQA and requires an Initial Study. Please pay the Initial Study fee and required referral fees. You've already paid \$310 for the Environmental Assessment Initial Review. You'll need to pay an additional \$4,165 to cover the Environmental Assessment Initial Study (Negative Declaration) fee and agency referral fee of \$998 for the Department of Public Works and \$421 for the Department of Parks and Recreation. The \$310 you've paid for the Environmental Assessment will be deducted from the \$3,056 Initial Study (Negative Declaration) fee, for a balance of \$2,746 ($\$2,746 + \$998 + 421 = \$4,165$). The Initial Study is required to evaluate the impacts to the environment of the proposed project and will require consultation with other agencies. Additional information may be requested to complete the environmental review.
42. The following CUP referral fees are also required before the project can progress: Fire Department referral fee of \$263, Department of Parks and Recreation referral fee of \$498 and Department of Public Health referral of \$593. Please note that checks should be made out to Los Angeles County and not to the individual departments, and are paid at Regional Planning. Planning fees may be made out to LA County Regional Planning.
43. The pending Zoning Enforcement case must be resolved prior to scheduling of a public hearing for the case.
44. The project description mentions concerts and other large events. Please include in the description the maximum number of people who would attend a concert or large event on the property, and an estimate of the largest total number of people who would be on the property (all 5 remaining parcels) at any one time, including employees and all other persons.

A One-Stop Counseling meeting is recommended for this project due to its size and complexity and the numerous agencies involved. This is a meeting held each month at Department of Public Works (DPW) headquarters in Alhambra where the applicants can meet with multiple County agencies with regards to proposed projects to help applicants better understand the requirements of each agency. It will help to better coordinate the project and help resolve issues. The fees for the One-Stop are \$253.25 for DPW, \$84 for Fire, and \$129 for Public Health. The \$332 Regional Planning fee will be waived since you've filed a pending CUP already. The total fees for the One-Stop are \$466.25 if all the agencies attend. Although the One-Stop is not required, it is strongly recommended for this project. A copy of the One-Stop application form is attached for reference.

A separate meeting with Regional Planning will also probably be necessary to help address the issues and requirements mentioned in this letter.

Please note that the Agua Dulce Town Council is a local body that has reviewed and provided comments on land use projects in Los Angeles County. It is recommended that you contact the Town Council to help gain community support for your project. To present before the Agua Dulce Town Council, please contact the Agua Dulce Town Council at the following address to arrange a meeting: 33201 Agua Dulce Canyon Road Box #8, Agua Dulce, CA 91390.

Failure to disclose all pertinent information for consideration in the review of this case could result in delays, continuation of public hearings, new environmental analysis and/or additional costs. Additional materials may be required pending the outcome of consultation with other agencies.

If you have any questions regarding this matter, please contact Richard Claghorn at (213) 974-6443, from 7:30 a.m. to 5:30 p.m., Monday through Thursday or via email at rclaghorn@planning.lacounty.gov. Our offices are closed on Fridays.

Sincerely,

Department of Regional Planning
Richard J. Bruckner
Director

Richard Claghorn, Principal Regional Planning Assistant
Zoning Permits North Section



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

July 15, 2015

Shaul Yakovi/Erez Karni
32222 Agua Dulce Canyon Rd.
Agua Dulce, CA 91390

SUBJECT: REQUEST FOR REVIEW MATERIALS

Project: R2012-02971 – (5)

Case: CUP No. 201200163

Address: 32222 Agua Dulce Canyon Rd.

Dear Applicant:

The Department of Regional Planning is currently reviewing the project identified above and has determined that additional materials and information are required before we can proceed further. This is an update to the previous letter from May 12, 2015 following your submittal of revised plans on July 8, 2015. Please address the following items and submit the necessary additional items by **October 15, 2015** or the project may be **DENIED** due to inactivity:

1. One (1) copy of the land use map (**folded**). Land uses within a 500 foot radius of the project site must be shown. The land use map must depict the land uses that currently exist within 500 feet of the property. See item 12 on the Zoning Permits checklist for details.
2. One (1) copy of the articles of incorporation. The articles of incorporation are required to validate that the owner's signature is from an authorized person within the corporation.
3. Please provide additional color photographs of the proposed project area with a photo-key map. Number each photo and show the location/photo direction on the map. The photographs must be taken from ground-level perspective, not aerial views. Include photographs of all existing structures, areas of proposed structures, parking areas and other areas of the site to be developed. The photos provided show the dance pavilion canopy, entrance gate, existing office, handicap parking spaces, restroom structures, and pond on parcel 26. No photos of the existing structures on parcel 54 were provided. More photos are needed to provide a complete picture of existing site conditions.
4. Guest house+12C is located within a slope easement. Structures are not allowed within a slope easement. The structure must be removed or relocated.
5. The structures being called guest houses+on the plans don't meet the county guest house requirements. Guest houses are intended as non-rental structures accessory to single-family residences, are limited to one per property, and are not allowed to have kitchen facilities. The proposed structures don't fit the guest house definition, but you need to clarify how these structures are intended to be used in a detailed project description. If they are for short term guests, the term guest units+should be used instead.
6. Two sets of elevation plans of the houses were provided. One of them shows a 2,400 square foot house size and the other says the house size is 3,500 square feet. None of the houses shown on the site plan are 2,400 square feet. Please indicate whether any 2,400 square foot houses are proposed. There are six 2,400 square foot structures shown on the

site plan, but they are not houses. Also, the 2,400 square foot structures on the site plan appear to be 30q x 40q on size, apparently with two stories. The 2,400 square foot house on the elevation plan appears to be approximately 42q x 74q so it's not clear what this drawing represents.

7. The elevation plans for the houses show garages. Please show the driveways leading to the garages on the site plan.
8. Please provide floor plans and elevation plans for all buildings. Some were provided, but most were not. Plans must show the building dimensions and must be drawn to scale.
9. Elevation plans were provided for a 1,000 square foot (25q x 40q) structure, but it's not clear which structure it is intended to represent. Six 1,000 square foot buildings are shown on the site plan but none match the same dimensions. Using the scale, approximate dimensions appear to be 32q x 32q for building #8, 12q x 47q for buildings #21 and #42, 18q x 60q for buildings #22 and #23, and 27q x 50q for building #43. Please make sure building dimensions are accurate and consistent on the site plan, floor plans, and elevations for all structures.
10. The project description gives the project area as 94 acres. However, adding up the areas of the 8 parcels listed on the Assessor's maps gives a total of 90.63 acres. Since there are 3 parcels which now are no longer part of the project area, the project area needs to be updated. Based on Assessor's records, it appears the 5 remaining parcels have a combined area of 61.75 acres.
11. In the project description (page 2, paragraph 3) it says the existing hillsides would remain in their natural state. No proposed grading is listed on the application form. However, there will clearly need to be significant amounts of grading to accomplish the project. The previous plot plan approval (RPP 200900080) included 12,983 cubic yards of cut and 3,214.88 cubic yards of fill. Proposed export was listed as 682.7 cubic yards. This grading was related to a proposed parking area that apparently has not yet been started, and which is still proposed. It doesn't appear a grading permit for this work was issued prior to the site plan expiration on August 24, 2013. Since this parking area is still proposed, and since it also appears much other grading is needed, a grading plan is needed that shows all of the proposed grading. The banquet hall (building 9) is located on sloping terrain, as are the guest cabins and many of the other proposed structures and the basketball and tennis courts, and it appears grading will be needed for these. If a soccer field is included that will also require significant grading. You'll need to provide a detailed grading plan to depict all of the grading involved in the project, and include this information in the revised project description. Please provide the total amount of cut and fill (in cubic yards) as well as indicating the total square footage of the areas to be graded.
12. In the project description (second paragraph) it says all proposed improvements will be kept out of the flood zone. However, it appears a number of buildings and other improvements are located in the flood zone, including the restrooms (#4), dining pad (#11), tennis and basketball courts, spa (#31 & #33), and snack bar (#44). Public Works will need to review the flood zone issues, but you should be aware that these buildings and improvements may need to be removed or relocated. The project description needs to be corrected.
13. The application form lists the city for the project location mailing address as Santa Clarita, but the Assessor's records show it as Agua Dulce.
14. The project description mentions some proposed uses that are not labeled on the site plan. No equestrian facilities or stables are identified on the site plan, even though they're mentioned in the description. If any such facilities exist or are proposed, please show them on the site plan. Indicate how many horses are to be kept there and show the stalls on the floor plan of any stables. Describe the purpose of the stables. Are they for keeping horses owned by the owner, to provide horse rides for guests, boarding of horses, or some other purpose? Please provide a description of how the equestrian facilities are to be used and show where they are located.
15. The description mentions a juice bar, but this is not shown on the plan. Is this use the same as the snack bar?

16. A soccer field is mentioned in the description but is not shown on the site plan.
17. The description mentions swimming pools and fishing ponds. Four pools are shown and one pond, but it's not clear which ones are for fishing and which are for swimming. Please label them.
18. Include the existing and proposed floor plans for the restaurant structure (previously a snack bar) and clearly show any alterations being proposed for the building, and for any other existing structures being altered.
19. The project description says 42 buildings would be constructed or rehabilitated. The actual number of structures appears to be higher, as it appears there are actually about 50 structures (existing and proposed) based on the current site plan. The guest cabins on parcel 25 should be counted as six separate buildings. The guest houses also need to be counted as separate individual buildings. The guest cabins on parcels 52 & 54 should be counted as 6 different structures. The occupant load list shows guard shacks numbered as #40 & 41. However, on the site plan there is no building #41, one with the #14, one with the #40. The dining pad (#11) does not appear to be a building, but the kitchen adjacent to it appears to be a building. Please include plans for this kitchen building along with all other buildings on the site that are proposed or will have any proposed work to be done on them. Please revise the project description and correct any errors and update as needed so that the plans and project description are consistent with each other.
20. Guard shack #40 west of parcels 54 and 28 is in the public right of way, and so is part of the gate. The dashed line on the site plan that runs through the gate and east of the guard shack corresponds to the property line, based on the Assessor's map and on our GIS maps. They may not be located within the public right of way or any future dedication area, so they must be removed or relocated. Also, the guard shack is listed as 150 square feet on the site plan, even though it appears to be about 35 square feet (5x7).
21. The proposed signs are shown within the public right of way area. The sign locations should be revised to match the locations approved under the amendment to RPP 200900080 approved on 2/19/13.
22. The project description on the application mentions installing a monument sign. Is this a separate sign from the ones previously approved on 2/19/13? If so, please show the sign location and include a sign plan.
23. On the application form the description mentions a winery including testing (tasting?) and selling. No winery is shown on the site plan nor are any facilities for wine tasting or sales identified. If the winery is to be included, it needs to be included on the site plan and included in the detailed project description.
24. Please indicate whether or not massage services will be performed by technicians or therapists holding licenses from the California Massage Therapy Council (CAMTC).
25. The mobile home (building #28) should be labeled as caretaker's mobile home on the site plan.
26. Label all buildings as (E) existing or (P) proposed on the site plan or in the project description or separate list. If it is existing but remodeling or an addition is proposed, then please indicate that on the plans or in the project description so it is clear exactly what is being proposed.
27. The parking summary on the site plan is not accurate. The square footages are not listed correctly, the required parking is incorrect, and most uses are not included. It lists 207 spaces provided, which is not accurate based on the current site plan. However, the project description (page 2, first paragraph) says parking for 500 vehicles would be provided on site, including a parking lot for 350 vehicles. The largest single parking lot shown on the site plan has 167 spaces. The number of parking spaces depicted on the revised plans is

309, which is far short of what is required. An updated parking matrix was prepared listing all of the proposed uses (see attached). The total number of required spaces, based on this analysis, is 503. It could be reduced if changes or corrections are made, but the number of parking spaces will need to be increased substantially unless many of the uses are reduced or eliminated. Please provide a similar parking matrix incorporating any changes or corrections made to the project. The number of parking spaces provided must be equal to or greater than the number of spaces required.

28. Two of the guest cabins on Parcel 54 encroach onto Parcel 52, which is no longer part of the project area. These two cabins must be deleted.
29. The application form states that new building construction will have an area of approximately 112,000 square feet. Please provide a detailed breakdown listing all of the structures and the size of each. Based on the information provided, I estimated the total of the new and existing structures as 81,718 square feet. However, this figure will need to be adjusted if any changes or corrections are made.
30. Please clarify the use of the snack bar. Indicate what types of food items will be sold there and whether it is similar to a take-out restaurant, juice bar, or a small retail food store.
31. Please explain what the purpose of the shacks on parcel 54 is (buildings #25 and #29 and the un-numbered shack next to the guest cabins).
32. Please resolve the Public Health Environmental Health concerns from the letter dated 2/28/13 and resolve the violations with them.
33. A Certificate of Compliance (COC) is required for APN 3212-008-054 because new buildings are proposed on this parcel and there was no previous tract or parcel map creating the parcel and no prior COC. Please file a COC for Parcel 54.
34. A covenant to hold property as one parcel is required. A covenant was done for the north four parcels for RPP 200900080, but since there are buildings crossing lot lines and shared parking and facilities, all 8 parcels will need to be tied together with a covenant to hold as one parcel. A copy of the draft covenant is attached. The complete legal description must be attached as Exhibit A, and it must be signed, notarized and recorded. This can be done after the public hearing.
35. This project is subject to the Rural Outdoor Lighting District Ordinance (Dark Skies). See the attached handout for a summary of the requirements. You can read more details about it on our website at this link:
http://planning.lacounty.gov/assets/upl/data/ord_outdoor-lighting-overview.pdf
36. This project is subject to the Green Building, Drought Tolerant Landscaping, and Low Impact Development (LID) ordinance requirements. Please read the attached handouts for a summary of these requirements. Please comply with these requirements and provide the following additional information:
 - a. Show the amount of existing and proposed impervious surfaces on each of the 8 parcels related to the project, in square feet. The application form lists an approximate impervious area total of 200,000 square feet, but a detailed breakdown is needed that shows how the total impervious area is calculated for both before and after the project.
 - b. Also include a landscape plan and show how much area will be devoted to drought-tolerant landscaping and non-drought-tolerant landscaping for each parcel, in square feet.
 - c. Please show at least three new 15-gallon trees for every 10,000 square feet of developed area. At least 65% of the trees need to be from the drought-tolerant list. Existing trees that are 6 inches or more in diameter may be counted toward this total. See the following link for the drought tolerant list and Green ordinance details:
<http://planning.lacounty.gov/green>
37. One of the drought-tolerant requirements restricts the lawn area to a maximum of 5,000 square feet. Pursuant to Section 22.52.2270, the Director of the Department, without notice or a hearing, may grant a modification to the landscaping requirements of this Part 21 under

the following circumstances:

1. When a project's topographic features, lot size, or other conditions make it unreasonable, impractical, or otherwise creates an unnecessary hardship to require compliance with these landscaping requirements; or
2. When the nature of a large scale or multi-lot project necessitates flexibility in the project design that impacts the landscaping for the project.

Please provide a burden of proof statement supporting the above findings to request a modification to the 5,000 square foot limit on lawn area. Please note that this procedure applies only to the requirements from the drought-tolerant ordinance (Part 21), which does not include the tree planting requirement listed in 37c above.

38. The project is subject to the Healthy Design Ordinance (HDO). Although the HDO was adopted after the submittal, its requirements are still applicable. The main requirement is that bicycle parking space needs to be provided. Based on the uses currently proposed on the 5 remaining parcels, a total of 11 short term and 7 long term bicycle parking spaces are required. This is based on the following ratios: one short term parking space per 40 guest rooms and one long term space per 20 guest rooms; one short term parking space per 5,000 square feet of other commercial buildings and one long term space per 12,000 square feet of other commercial buildings. Long term spaces must be covered, but short term spaces don't need to be covered. Bicycle parking spaces need to be a minimum of 2' x 6' each, and bike racks need to be provided. See the attached handout for additional details on the bike parking.
39. This project does not qualify for a categorical exemption under CEQA and requires an Initial Study. Please pay the Initial Study fee and required referral fees. You've already paid \$310 for the Environmental Assessment Initial Review. You'll need to pay an additional \$4,165 to cover the Environmental Assessment Initial Study (Negative Declaration) fee and agency referral fee of \$998 for the Department of Public Works and \$421 for the Department of Parks and Recreation. The \$310 you've paid for the Environmental Assessment will be deducted from the \$3,056 Initial Study (Negative Declaration) fee, for a balance of \$2,746 ($\$2,746 + \$998 + 421 = \$4,165$). The Initial Study is required to evaluate the impacts to the environment of the proposed project and will require consultation with other agencies. Additional information may be requested to complete the environmental review. As currently designed, this project will likely require an Environmental Impact Report (EIR) due to the likelihood of significant impacts due to the large scope of the proposed development. A final environmental determination can't be made until the other departments have had a chance to comment on the project, and they can't provide comments until the required fees are paid. Because of the large number of guest rooms and other uses, other information may be required by other departments, possibly including a traffic study, for example. In order to avoid such requirements, and to avoid an EIR, the project will likely need to be reduced in scope significantly, so that impacts can be avoided or satisfactorily mitigated.
40. The following CUP referral fees are also required before the project can progress: Fire Department referral fee of \$263, Department of Parks and Recreation referral fee of \$498 and Department of Public Health referral of \$593. Please note that checks should be made out to Los Angeles County and not to the individual departments, and are paid at Regional Planning. Planning fees may be made out to LA County Regional Planning.

41. The pending Zoning Enforcement case must be resolved prior to scheduling of a public hearing for the case.
42. The project description mentions concerts and other large events. Please include in the description the maximum number of people who would attend a concert or large event on the property, and an estimate of the largest total number of people who would be on the property (all 5 remaining parcels) at any one time, including employees and all other persons.

Please provide a digital copy of any revised plans on a CD or by email, plus 3 full-size hard copies of the plans.

A One-Stop Counseling meeting is recommended for this project due to its size and complexity and the numerous agencies involved. This is a meeting held each month at Department of Public Works (DPW) headquarters in Alhambra where the applicants can meet with multiple County agencies with regards to proposed projects to help applicants better understand the requirements of each agency. It will help to better coordinate the project and help resolve issues. The fees for the One-Stop are \$253.25 for DPW, \$84 for Fire, and \$129 for Public Health. The \$332 Regional Planning fee will be waived since you've filed a pending CUP already. The total fees for the One-Stop are \$466.25 if all the agencies attend. Although the One-Stop is not required, it is strongly recommended for this project. A copy of the One-Stop application form is attached for reference.

A separate meeting with Regional Planning will also probably be necessary to help address the issues and requirements mentioned in this letter.

Please note that the Agua Dulce Town Council is a local body that has reviewed and provided comments on land use projects in Los Angeles County. It is recommended that you contact the Town Council to help gain community support for your project. To present before the Agua Dulce Town Council, please contact the Agua Dulce Town Council at the following address to arrange a meeting: 33201 Agua Dulce Canyon Road Box #8, Agua Dulce, CA 91390.

Failure to disclose all pertinent information for consideration in the review of this case could result in delays, continuation of public hearings, new environmental analysis and/or additional costs. Additional materials may be required pending the outcome of consultation with other agencies.

If you have any questions regarding this matter, please contact Richard Claghorn at (213) 974-6443, from 7:30 a.m. to 5:30 p.m., Monday through Thursday or via email at rclaghorn@planning.lacounty.gov. Our offices are closed on Fridays.

Sincerely,

Department of Regional Planning
Richard J. Bruckner
Director

Richard Claghorn, Principal Regional Planning Assistant
Zoning Permits North Section



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

March 23, 2016

Shaul Yakovi/Erez Karni
32222 Agua Dulce Canyon Rd.
Agua Dulce, CA 91390

SUBJECT: REQUEST FOR REVIEW MATERIALS

Project: R2012-02971 – (5)
Case: CUP No. 201200163
Address: 32222 Agua Dulce Canyon Rd.

Dear Applicant:

The Department of Regional Planning is currently reviewing the project identified above and has determined that additional materials and information are required before we can proceed further. This is an update to the previous letter from July 15, 2015 following your submittal of revised plans on February 2, 2016. Please address the following items and submit the necessary additional items by **June 20, 2016** or the project may be **DENIED** due to inactivity:

SITE PLAN

1. Guest house+12C is located within a slope easement. Structures are not allowed within a slope easement. The structure must be removed or relocated.
2. The new site plan shows 18 new parking spaces that were added to the parking lot in the southwest part of parcel 27 and northwest part of parcel 28. A minimum of 26 feet of backup area is required for all standard parking spaces. The site plan does not show where the edge of this parking lot is. According to the topographic map for RPP 200900080, which previously approved a 36-space parking area there, there are steep slopes within part of the expanded parking lot area, which would require additional grading. A revised grading plan with total grading amounts (cubic yards of cut and fill) will need to be provided to account for the expanded parking lot area and other proposed changes to the site where grading is required. Parking lots may not have slopes exceeding 5%, so if the slopes exceed 5%, grading will be needed to flatten out the parking areas. The site plan needs to include a detailed topographic map in order to see what the existing grade is in the parking areas and other sloping areas of the site. The edges of the parking areas also need to be clearly defined. There is no clear eastern edge to the backup area for the parking spaces on parcel 27 between the handicapped spaces and tennis courts, so it's not clear if the required 26 feet of unobstructed backup area will be provided.
3. The dining pad (#11) was changed to a photo pad on the latest revised site plan. However, there is still a small kitchen shown adjacent to the pad, so we would still consider it a dining pad, even though it is now labeled photo pad+. In order to have it not classified as a dining pad, along with the requirement for 78 parking spaces, the adjacent kitchen would need to be eliminated and the pad could not be used as a dining area.
4. Guard shack #40 west of parcels 54 and 28 is in the public right-of-way, and so is part of the gate. The dashed line on the site plan that runs through the gate and east of the guard

shack corresponds to the property line, based on the Assessor's map and on our GIS maps. They may not be located within the ROW or any future dedication area, so they must be removed or relocated. Also, the guard shack is listed as 150 square feet on the site plan, even though it appears to be about 35 square feet (5x7).

5. The proposed signs are shown within the ROW area. The sign locations must be relocated outside of the ROW.
6. The parking summary on the site plan is not accurate. The square footages are not listed correctly, the required parking information is incorrect, and most uses are not included. It lists 207 spaces provided, which is not accurate based on the current site plan. You don't need to have a complete parking summary on the site plan, but it should at least list the number of parking spaces provided and the number required. A detailed analysis can be included on a separate page. The number of parking spaces depicted on the revised plans is 358, which is still short of what is required. An updated parking matrix was prepared listing all of the proposed uses (see attached). The total number of required spaces, based on this analysis, is 497. It could be reduced to 419 if the kitchen is eliminated next to the photo pad. Further reductions would be possible if more changes are made. The number of parking spaces will need to be increased substantially unless many of the uses are reduced or eliminated. Please provide a parking matrix incorporating any changes or corrections made to the project. The number of parking spaces provided must be equal to or greater than the number of spaces required.
7. The site is in a State Responsibility Area for fire protection. There is a requirement that a 30-foot setback must be maintained around the perimeter of the property. The Fire Department may allow modifications to this under certain circumstances, but it is strongly recommended that 30-foot setbacks be provided around the perimeter of the property. There are 5 guest cabin units on parcel 25 and 5 guest cabin units on parcel 54 that are currently less than 30 feet from the lot lines. These units should be deleted or relocated.
8. The project is subject to the Healthy Design Ordinance (HDO). Although the HDO was adopted after the submittal, its requirements are still applicable. The main requirement is that bicycle parking space needs to be provided. Based on the uses currently proposed on the 5 remaining parcels, a total of 11 short term and 7 long term bicycle parking spaces are required. This is based on the following ratios: one short term parking space per 40 guest rooms and one long term space per 20 guest rooms; one short term parking space per 5,000 square feet of other commercial buildings and one long term space per 12,000 square feet of other commercial buildings. Long term spaces must be covered, but short term spaces don't need to be covered. Bicycle parking spaces need to be a minimum of 2' x 6' each, and bike racks need to be provided. See the attached handout for additional details on the bike parking. Show the required bike spaces on the plan.
9. The parking lot east of the tennis courts includes some parking spaces which have less than 26 feet of backup area, based on the updated site plan. Please revise to comply with the 26-foot backup space requirement.
10. There is a square south of the snack bar (building #44) on the site plan that is unidentified. It appears to be a possible structure. Please indicate whether this is a structure and identify what it represents.

ARCHITECTURAL PLANS

11. The elevation plans for the houses show garages. Please show the driveways leading to the garages on the site plan.
12. Please provide floor plans and elevation plans for all proposed buildings or any buildings where work is being proposed. Some plans were provided, but many were not. No floor plans for the 3,500 sf guest units were provided, or for the 1,500 sf spa buildings, 2,400 sf buildings, 1,000 sf buildings, 500 sf restrooms, 400 sf restrooms, etc. Plans must show the building dimensions and must be drawn to scale.
13. Elevation plans were provided for a 1,000 square foot (25' x 40') structure, but it's not clear which structure it is intended to represent. Six 1,000 square foot buildings are shown on the

site plan but none match the same dimensions. Using the scale, approximate dimensions appear to be 32q x 32q for building #8, 12q x 47q for buildings #21 and #42, 18q x 60q for buildings #22 and #23, and 27q x 50q for building #43. Please make sure building dimensions are accurate and consistent on the site plan, floor plans, and elevations for all structures.

14. Include the existing and proposed floor plans for the restaurant structure (building #24) and clearly show any alterations being proposed for the building, and for any other existing structures being altered. Obtain an occupant load determination from Building & Safety for the restaurant, based on the proposed floor plan. The existing occupant load count for the restaurant is 134. A much lower occupant load count would be possible based on a more detailed floor plan showing the dining area, kitchen area, restrooms, and the interior layout of the restaurant. Required parking for the restaurant is based on one space per 3 occupants.

APPLICATION/PROJECT DESCRIPTION

15. The project description gives the project area as 94 acres. However, adding up the areas of the 8 parcels listed on the Assessor's maps gives a total of 90.63 acres. Since there are 3 parcels which now are no longer part of the project area, the project area needs to be updated. Based on Assessor's records, it appears the 5 remaining parcels have a combined area of 61.75 acres.
16. In the project description (page 2, paragraph 3) it says the existing hillsides would remain in their natural state. No proposed grading is listed on the application form. However, there will clearly need to be significant amounts of grading to accomplish the project. The previous plot plan approval (RPP 200900080) included 12,983 cubic yards of cut and 3,214.88 cubic yards of fill. Proposed export was listed as 682.7 cubic yards. This grading was related to a proposed parking area that apparently has not yet been started, and which is still proposed. Since this parking area is still proposed, and since it also appears grading may be needed for some of the other development in sloping areas, the grading must be included in the project description. Please provide the total amount of proposed grading (cut and fill, in cubic yards) as well as indicating the total square footage of the areas to be graded.
17. In the project description (second paragraph) it says all proposed improvements will be kept out of the flood zone. You don't have to discuss the flood zone in the project description, but if you do it needs to be accurate. It appears a number of buildings and other improvements are located in the FEMA flood zone, including the restrooms (#4), photo/dining pad (#11), tennis and basketball courts, spa (#31 & #33), and snack bar (#44). Public Works will need to review the flood zone issues, but you should be aware that these buildings and improvements may need to be modified, removed or relocated.
18. The project description mentions some proposed uses that are not labeled on the site plan. No equestrian facilities or stables are identified on the site plan, even though they are mentioned in the description. If any such facilities exist or are proposed, please show them on the site plan. Indicate how many horses are to be kept there and show the stalls on the floor plan of any stables. Describe the purpose of the stables. Are they for keeping horses owned by the owner, to provide horse rides for guests, boarding of horses, or some other purpose? Please provide a description of how the equestrian facilities are to be used and show where they are located.
19. The description mentions a juice bar, but this is not shown on the plan. Is this use the same as the snack bar?
20. A soccer field is mentioned in the description but is not shown on the site plan. It should be

deleted from the description unless it is shown on the site plan.

21. The project description on the application mentions installing a monument sign. Is this a separate sign from the ones previously approved on 2/19/13? If so, please show the sign location on the site plan and include a sign plan.
22. On the application form the description mentions a winery including testing (tasting?) and selling. No winery is shown on the site plan nor are any facilities for wine tasting or sales identified. The winery should be deleted from the application unless it is also included on the site plan and project description and more details are provided. The winery would also require architectural plans, additional required parking, and more detailed information, such as the amount of projected production, the source of the grapes, estimated number of employees, and other details of the proposed winery operation.
23. The application form states that new building construction will have an area of approximately 112,000 square feet. Please provide a detailed breakdown listing all of the structures and the size of each. Based on the information provided, I estimated the total of the new and existing structures as 81,718 square feet. However, this figure will need to be adjusted if any changes or corrections are made.
24. Please clarify the use of the snack bar. Indicate what types of food items will be sold there and whether it is similar to a take-out restaurant, juice bar, or a small retail food store.
25. Please explain what the purpose of the shacks on parcel 54 is (buildings #25 and #29 and the un-numbered shack next to the guest cabins). Are these guard shacks, storage shacks, or some other use?
26. The project description mentions concerts and other large events. Please include in the description the maximum number of people who would attend a concert or large event on the property, and an estimate of the largest total number of people who would be on the property (all 5 remaining parcels) at any one time, including employees and all other persons.
27. The application form needs to be updated to eliminate the parcels that are no longer part of the project and to update other project information which has changed.
28. The project description (page 2, first paragraph) says parking for 500 vehicles would be provided on site, including a parking lot for 350 vehicles. This information is not accurate and needs to be corrected. Please rewrite the project description with accurate and current information based on the changes to the project.

OTHER

29. Please provide one (1) copy of the articles of incorporation. The articles of incorporation are required to validate that the owner's signature is from an authorized person within the corporation.
30. Please provide additional color photographs of the proposed project area with a photo-key map. Number each photo and show the location/photo direction on the map. The photographs must be taken from ground-level perspective, not aerial views. Include photographs of all existing structures, areas of proposed structures, parking areas and other areas of the site to be developed. The photos provided show the dance pavilion canopy, entrance gate, existing office, handicap parking spaces, restroom structures, and pond on parcel 26. No photos of the existing structures on parcel 54 were provided. No photos have been provided for some other areas where structures are proposed, such as the guest cabins and guest units. More photos are needed to provide a complete picture of existing site conditions.
31. Please resolve the Public Health Environmental Health concerns from the letter dated 2/28/13 and resolve the violations with them.
32. A Certificate of Compliance (COC) is required for APN 3212-008-054 because new buildings are proposed on this parcel and there was no previous tract or parcel map creating the parcel and no prior COC. Please file a COC for Parcel 54. The COC fee is currently \$1,755.
33. A covenant to hold property as one parcel is required. A covenant was done for the north

four parcels for RPP 200900080, but since there are buildings crossing lot lines and shared parking and facilities, all 8 parcels will need to be tied together with a covenant to hold as one parcel. A copy of the draft covenant is attached. The complete legal description must be attached as Exhibit A, and it must be signed, notarized and recorded. This can be done after the public hearing.

34. This project does not qualify for a categorical exemption under CEQA and requires an Initial Study. Please pay the Initial Study fee and required referral fees. You've already paid \$310 for the Environmental Assessment Initial Review. You'll need to pay an additional \$4,288 to cover the Environmental Assessment Initial Study (Negative Declaration) fee and agency referral fee of \$1,026 for the Department of Public Works and \$433 for the Department of Parks and Recreation. The \$310 you've paid for the Environmental Assessment (ENV) will be deducted from the \$3,139 Initial Study (Negative Declaration) fee, for a balance of \$2,829 (\$2,829 + \$1,026 + \$433 = \$4,288). Please note that these fees will need to be paid by the same payer as the \$310 ENV fee (Ronit Waizgen and Shaul Yakovi). If the payer is different the fee will be \$310 higher, and a refund could be requested for the \$310 already paid. The Initial Study is required to evaluate the impacts to the environment of the proposed project and will require consultation with other agencies. Additional information may be requested to complete the environmental review. As currently designed, this project will likely require an Environmental Impact Report (EIR) due to the likelihood of significant impacts due to the large scope of the proposed development. A final environmental determination can't be made until the other departments have had a chance to comment on the project, and they can't provide comments until the required fees are paid. Because of the large number of guest rooms and other uses, other information may be required by other departments, possibly including a traffic study, for example. In order to avoid such requirements, and to avoid an EIR, the project will likely need to be reduced in scope significantly, so that impacts can be avoided or satisfactorily mitigated.
35. The following CUP referral fees are also required before the project can progress: Fire Department referral fee of \$263, Department of Parks and Recreation referral fee of \$512 and Department of Public Health referral of \$609. Please note that checks should be made out to Los Angeles County and not to the individual departments, and are paid at Regional Planning. Planning fees may be made out to LA County Regional Planning.

Please provide a digital copy of any revised plans on a CD or by email, plus 3 full-size hard copies of the plans.

The above list provides a summary of issues that will need to be addressed for this project, although other issues may be identified after consultation with other County departments or other agencies. Some issues may be addressed later in the review process, but some must be addressed prior to the consultation with the other County departments. The most critical issues to be addressed are item #34 and 35 (required fees). Items 1-11 and 14-28 also need to be addressed before the project will be ready to be circulated to the other County departments.

Please note that the Agua Dulce Town Council is a local body that has reviewed and provided comments on land use projects in Los Angeles County. It is recommended that you contact the Town Council to help gain community support for your project. To present before the Agua Dulce Town Council, please contact the Agua Dulce Town Council at the following address to arrange a meeting: 33201 Agua Dulce Canyon Road Box #8, Agua Dulce, CA 91390.

Failure to disclose all pertinent information for consideration in the review of this case could result in delays, continuation of public hearings, new environmental analysis and/or additional costs. Additional materials may be required pending the outcome of consultation with other agencies.

If you have any questions regarding this matter, please contact Richard Claghorn at (213) 974-6443, from 7:30 a.m. to 5:30 p.m., Monday through Thursday or via email at rclaghorn@planning.lacounty.gov. Our offices are closed on Fridays.

Sincerely,

Department of Regional Planning
Richard J. Bruckner
Director

Richard Claghorn, Principal Regional Planning Assistant
Zoning Permits North Section



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

March 23, 2016

Shaul Yakovi/Erez Karni
32222 Agua Dulce Canyon Rd.
Agua Dulce, CA 91390

SUBJECT: REQUEST FOR REVIEW MATERIALS

Project: R2012-02971 – (5)

Case: CUP No. 201200163

Address: 32222 Agua Dulce Canyon Rd.

Dear Applicant:

The Department of Regional Planning is currently reviewing the project identified above and has determined that additional materials and information are required before we can proceed further. This is an update to the previous letter from July 15, 2015 following your submittal of revised plans on February 2, 2016. Please address the following items and submit the necessary additional items by **June 20, 2016** or the project may be **DENIED** due to inactivity:

SITE PLAN

- ✓ 1. "Guest house" 12C is located within a slope easement. Structures are not allowed within a slope easement. The structure must be removed or relocated.
2. The new site plan shows 18 new parking spaces that were added to the parking lot in the southwest part of parcel 27 and northwest part of parcel 28. A minimum of 26 feet of backup area is required for all standard parking spaces. The site plan does not show where the edge of this parking lot is. According to the topographic map for RPP 200900080, which previously approved a 36-space parking area there, there are steep slopes within part of the expanded parking lot area, which would require additional grading. A revised grading plan with total grading amounts (cubic yards of cut and fill) will need to be provided to account for the expanded parking lot area and other proposed changes to the site where grading is required. Parking lots may not have slopes exceeding 5%, so if the slopes exceed 5%, grading will be needed to flatten out the parking areas. The site plan needs to include a detailed topographic map in order to see what the existing grade is in the parking areas and other sloping areas of the site. The edges of the parking areas also need to be clearly defined. There is no clear eastern edge to the backup area for the parking spaces on parcel 27 between the handicapped spaces and tennis courts, so it's not clear if the required 26 feet of unobstructed backup area will be provided.
- ✓ 3. The dining pad (#11) was changed to a photo pad on the latest revised site plan. However, there is still a small kitchen shown adjacent to the pad, so we would still consider it a dining pad, even though it is now labeled "photo pad". In order to have it not classified as a dining pad, along with the requirement for 78 parking spaces, the adjacent kitchen would need to be eliminated and the pad could not be used as a dining area.
4. Guard shack #40 west of parcels 54 and 28 is in the public right-of-way, and so is part of the gate. The dashed line on the site plan that runs through the gate and east of the guard

Need to
show
parking

shack corresponds to the property line, based on the Assessor's map and on our GIS maps. They may not be located within the ROW or any future dedication area, so they must be removed or relocated. Also, the guard shack is listed as 150 square feet on the site plan, even though it appears to be about 35 square feet (5' x 7').

5. The proposed signs are shown within the ROW area. The sign locations must be relocated outside of the ROW.
6. The parking summary on the site plan is not accurate. The square footages are not listed correctly, the required parking information is incorrect, and most uses are not included. It lists 207 spaces provided, which is not accurate based on the current site plan. You don't need to have a complete parking summary on the site plan, but it should at least list the number of parking spaces provided and the number required. A detailed analysis can be included on a separate page. The number of parking spaces depicted on the revised plans is 358, which is still short of what is required. An updated parking matrix was prepared listing all of the proposed uses (see attached). The total number of required spaces, based on this analysis, is 497. It could be reduced to 419 if the kitchen is eliminated next to the "photo pad". Further reductions would be possible if more changes are made. The number of parking spaces will need to be increased substantially unless many of the uses are reduced or eliminated. Please provide a parking matrix incorporating any changes or corrections made to the project. The number of parking spaces provided must be equal to or greater than the number of spaces required.
7. The site is in a State Responsibility Area for fire protection. There is a requirement that a 30-foot setback must be maintained around the perimeter of the property. The Fire Department may allow modifications to this under certain circumstances, but it is strongly recommended that 30-foot setbacks be provided around the perimeter of the property. There are 5 guest cabin units on parcel 25 and 5 guest cabin units on parcel 54 that are currently less than 30 feet from the lot lines. These units should be deleted or relocated.
8. The project is subject to the Healthy Design Ordinance (HDO). Although the HDO was adopted after the submittal, its requirements are still applicable. The main requirement is that bicycle parking space needs to be provided. Based on the uses currently proposed on the 5 remaining parcels, a total of 11 short term and 7 long term bicycle parking spaces are required. This is based on the following ratios: one short term parking space per 40 guest rooms and one long term space per 20 guest rooms; one short term parking space per 5,000 square feet of other commercial buildings and one long term space per 12,000 square feet of other commercial buildings. Long term spaces must be covered, but short term spaces don't need to be covered. Bicycle parking spaces need to be a minimum of 2' x 6' each, and bike racks need to be provided. See the attached handout for additional details on the bike parking. Show the required bike spaces on the plan.
9. The parking lot east of the tennis courts includes some parking spaces which have less than 26 feet of backup area, based on the updated site plan. Please revise to comply with the 26-foot backup space requirement.
- ✓ 10. There is a square south of the snack bar (building #44) on the site plan that is unidentified. It appears to be a possible structure. Please indicate whether this is a structure and identify what it represents.

ARCHITECTURAL PLANS

- ✓ 11. The elevation plans for the houses show garages. Please show the driveways leading to the garages on the site plan.
12. Please provide floor plans and elevation plans for all proposed buildings or any buildings where work is being proposed. Some plans were provided, but many were not. No floor plans for the 3,500 sf guest units were provided, or for the 1,500 sf spa buildings, 2,400 sf buildings, 1,000 sf buildings, 500 sf restrooms, 400 sf restrooms, etc. Plans must show the building dimensions and must be drawn to scale.
- ✓ 13. Elevation plans were provided for a 1,000 square foot (25' x 40') structure, but it's not clear which structure it is intended to represent. Six 1,000 square foot buildings are shown on the

Still
Need
Floor Plan
for 3500
guest units

site plan but none match the same dimensions. Using the scale, approximate dimensions appear to be 32' x 32' for building #8, 12' x 47' for buildings #21 and #42, 18' x 60' for buildings #22 and #23, and 27' x 50' for building #43. Please make sure building dimensions are accurate and consistent on the site plan, floor plans, and elevations for all structures.

14. Include the existing and proposed floor plans for the restaurant structure (building #24) and clearly show any alterations being proposed for the building, and for any other existing structures being altered. Obtain an occupant load determination from Building & Safety for the restaurant, based on the proposed floor plan. The existing occupant load count for the restaurant is 134. A much lower occupant load count would be possible based on a more detailed floor plan showing the dining area, kitchen area, restrooms, and the interior layout of the restaurant. Required parking for the restaurant is based on one space per 3 occupants.

APPLICATION/PROJECT DESCRIPTION

15. The project description gives the project area as 94 acres. However, adding up the areas of the 8 parcels listed on the Assessor's maps gives a total of 90.63 acres. Since there are 3 parcels which now are no longer part of the project area, the project area needs to be updated. Based on Assessor's records, it appears the 5 remaining parcels have a combined area of 61.75 acres.
16. In the project description (page 2, paragraph 3) it says the existing hillsides would remain in their natural state. No proposed grading is listed on the application form. However, there will clearly need to be significant amounts of grading to accomplish the project. The previous plot plan approval (RPP 200900080) included 12,983 cubic yards of cut and 3,214.88 cubic yards of fill. Proposed export was listed as 682.7 cubic yards. This grading was related to a proposed parking area that apparently has not yet been started, and which is still proposed. Since this parking area is still proposed, and since it also appears grading may be needed for some of the other development in sloping areas, the grading must be included in the project description. Please provide the total amount of proposed grading (cut and fill, in cubic yards) as well as indicating the total square footage of the areas to be graded.
17. In the project description (second paragraph) it says all proposed improvements will be kept out of the flood zone. You don't have to discuss the flood zone in the project description, but if you do it needs to be accurate. It appears a number of buildings and other improvements are located in the FEMA flood zone, including the restrooms (#4), photo/dining pad (#11), tennis and basketball courts, spa (#31 & #33), and snack bar (#44). Public Works will need to review the flood zone issues, but you should be aware that these buildings and improvements may need to be modified, removed or relocated.
18. The project description mentions some proposed uses that are not labeled on the site plan. No equestrian facilities or stables are identified on the site plan, even though they're mentioned in the description. If any such facilities exist or are proposed, please show them on the site plan. Indicate how many horses are to be kept there and show the stalls on the floor plan of any stables. Describe the purpose of the stables. Are they for keeping horses owned by the owner, to provide horse rides for guests, boarding of horses, or some other purpose? Please provide a description of how the equestrian facilities are to be used and show where they are located.
19. The description mentions a juice bar, but this is not shown on the plan. Is this use the same as the snack bar?
20. A soccer field is mentioned in the description but is not shown on the site plan. It should be

deleted from the description unless it is shown on the site plan.

21. The project description on the application mentions installing a monument sign. Is this a separate sign from the ones previously approved on 2/19/13? If so, please show the sign location on the site plan and include a sign plan.
22. On the application form the description mentions a winery including testing (tasting?) and selling. No winery is shown on the site plan nor are any facilities for wine tasting or sales identified. The winery should be deleted from the application unless it is also included on the site plan and project description and more details are provided. The winery would also require architectural plans, additional required parking, and more detailed information, such as the amount of projected production, the source of the grapes, estimated number of employees, and other details of the proposed winery operation.
23. The application form states that new building construction will have an area of approximately 112,000 square feet. Please provide a detailed breakdown listing all of the structures and the size of each. Based on the information provided, I estimated the total of the new and existing structures as 81,718 square feet. However, this figure will need to be adjusted if any changes or corrections are made.
24. Please clarify the use of the snack bar. Indicate what types of food items will be sold there and whether it is similar to a take-out restaurant, juice bar, or a small retail food store.
25. Please explain what the purpose of the shacks on parcel 54 is (buildings #25 and #29 and the un-numbered shack next to the guest cabins). Are these guard shacks, storage shacks, or some other use?
26. The project description mentions concerts and other large events. Please include in the description the maximum number of people who would attend a concert or large event on the property, and an estimate of the largest total number of people who would be on the property (all 5 remaining parcels) at any one time, including employees and all other persons.
27. The application form needs to be updated to eliminate the parcels that are no longer part of the project and to update other project information which has changed.
28. The project description (page 2, first paragraph) says parking for 500 vehicles would be provided on site, including a parking lot for 350 vehicles. This information is not accurate and needs to be corrected. Please rewrite the project description with accurate and current information based on the changes to the project.

OTHER

29. Please provide one (1) copy of the articles of incorporation. The articles of incorporation are required to validate that the owner's signature is from an authorized person within the corporation.
30. Please provide additional color photographs of the proposed project area with a photo-key map. Number each photo and show the location/photo direction on the map. The photographs must be taken from ground-level perspective, not aerial views. Include photographs of all existing structures, areas of proposed structures, parking areas and other areas of the site to be developed. The photos provided show the dance pavilion canopy, entrance gate, existing office, handicap parking spaces, restroom structures, and pond on parcel 26. No photos of the existing structures on parcel 54 were provided. No photos have been provided for some other areas where structures are proposed, such as the guest cabins and guest units. More photos are needed to provide a complete picture of existing site conditions.
31. Please resolve the Public Health Environmental Health concerns from the letter dated 2/28/13 and resolve the violations with them.
32. A Certificate of Compliance (COC) is required for APN 3212-008-054 because new buildings are proposed on this parcel and there was no previous tract or parcel map creating the parcel and no prior COC. Please file a COC for Parcel 54. The COC fee is currently \$1,755.
33. A covenant to hold property as one parcel is required. A covenant was done for the north

four parcels for RPP 200900080, but since there are buildings crossing lot lines and shared parking and facilities, all 8 parcels will need to be tied together with a covenant to hold as one parcel. A copy of the draft covenant is attached. The complete legal description must be attached as Exhibit "A", and it must be signed, notarized and recorded. This can be done after the public hearing.

34. This project does not qualify for a categorical exemption under CEQA and requires an Initial Study. Please pay the Initial Study fee and required referral fees. You've already paid \$310 for the Environmental Assessment Initial Review. You'll need to pay an additional \$4,288 to cover the Environmental Assessment Initial Study (Negative Declaration) fee and agency referral fee of \$1,026 for the Department of Public Works and \$433 for the Department of Parks and Recreation. The \$310 you've paid for the Environmental Assessment (ENV) will be deducted from the \$3,139 Initial Study (Negative Declaration) fee, for a balance of \$2,829 ($\$2,829 + \$1,026 + \$433 = \$4,288$). Please note that these fees will need to be paid by the same payer as the \$310 ENV fee (Ronit Waizgen and Shaul Yakovi). If the payer is different the fee will be \$310 higher, and a refund could be requested for the \$310 already paid. The Initial Study is required to evaluate the impacts to the environment of the proposed project and will require consultation with other agencies. Additional information may be requested to complete the environmental review. As currently designed, this project will likely require an Environmental Impact Report (EIR) due to the likelihood of significant impacts due to the large scope of the proposed development. A final environmental determination can't be made until the other departments have had a chance to comment on the project, and they can't provide comments until the required fees are paid. Because of the large number of guest rooms and other uses, other information may be required by other departments, possibly including a traffic study, for example. In order to avoid such requirements, and to avoid an EIR, the project will likely need to be reduced in scope significantly, so that impacts can be avoided or satisfactorily mitigated.
35. The following CUP referral fees are also required before the project can progress: Fire Department referral fee of \$263, Department of Parks and Recreation referral fee of \$512 and Department of Public Health referral of \$609. Please note that checks should be made out to Los Angeles County and not to the individual departments, and are paid at Regional Planning. Planning fees may be made out to LA County Regional Planning.

Please provide a digital copy of any revised plans on a CD or by email, plus 3 full-size hard copies of the plans.

The above list provides a summary of issues that will need to be addressed for this project, although other issues may be identified after consultation with other County departments or other agencies. Some issues may be addressed later in the review process, but some must be addressed prior to the consultation with the other County departments. The most critical issues to be addressed are item #34 and 35 (required fees). Items 1-11 and 14-28 also need to be addressed before the project will be ready to be circulated to the other County departments.

Please note that the Agua Dulce Town Council is a local body that has reviewed and provided comments on land use projects in Los Angeles County. It is recommended that you contact the Town Council to help gain community support for your project. To present before the Agua Dulce Town Council, please contact the Agua Dulce Town Council at the following address to arrange a meeting: 33201 Agua Dulce Canyon Road Box #8, Agua Dulce, CA 91390.

Failure to disclose all pertinent information for consideration in the review of this case could result in delays, continuation of public hearings, new environmental analysis and/or additional costs. Additional materials may be required pending the outcome of consultation with other agencies.

If you have any questions regarding this matter, please contact Richard Claghorn at (213) 974-6443, from 7:30 a.m. to 5:30 p.m., Monday through Thursday or via email at rclaghorn@planning.lacounty.gov. Our offices are closed on Fridays.

Sincerely,

Department of Regional Planning
Richard J. Bruckner
Director

Richard Claghorn, Principal Regional Planning Assistant
Zoning Permits North Section

FW: Project R2012-02971

Richard Claghorn <rclaghorn@planning.lacounty.gov>

Wed 5/24/2017 4:30 PM

To: 'shaul92@gmail.com' <shaul92@gmail.com>

Cc: 'karnier@gmail.com' <karnier@gmail.com>

 1 attachments (263 KB)

Incomplete_Letter4(Updated_5-24-17).pdf;

Good afternoon,

We had an appointment scheduled for today at 1:00 pm but you weren't here. I hope everything is okay. I just realized that the attachment I sent you on 8/10/16 where I sent a copy of the correction letter with some handwritten notes was missing some pages. I'm sending you a revised version with all pages. I also updated the fees for items 34 & 35, which have increased since the last letter. Let me know if you'd like to reschedule the appointment, and what day(s) and time(s) you'd prefer. Thanks.

Richard Claghorn

Principal Regional Planning Assistant

Zoning Permits North Section

Department of Regional Planning

320 W. Temple Street, Room 1348

Los Angeles, CA 90012

Phone: 213-974-6443

From: Richard Claghorn

Sent: Wednesday, August 10, 2016 4:52 PM

To: 'shaul yakovi' <shaul92@gmail.com>

Subject: RE: Project R2012-02971

Hi Shaul,

Thank you for coming in today and for the revised plans. I've attached a copy of the 3/23/16 correction letter with notes based on the new information. I checked off items 1, 3, 10, 11 and 13, which have been completed. Item 12 was mostly completed, but we're still lacking the floor plans for the 3,500 sf guest units. I've also attached a spreadsheet with an updated parking analysis based on the revised plans. In this analysis, I eliminated 9 cabin units that were at least partly within the 30' setback area (see item 7 in letter). However, if you choose to relocate some of these units, you'll need to make sure they're reflected in the updated parking analysis. If a floor plan is done for the restaurant (Bldg 24) and a new occupant calculation is obtained from Building and Safety for it, then you're likely to be able to get a further reduction in the parking requirement. Based on the updated analysis, you're required to provide 409 parking spaces. The last site plan showed 358 spaces, so it's still short on parking. You'll also still need at least 18 bike parking spaces (11 short term and 7 long term).

For reference, I've also attached a copy of the application form, which includes a project description. Please provide an updated project description with correct and current information. I've also included a link to the COC application form, which is required for parcel 54.

<http://planning.lacounty.gov/apps>

Let me know if you have any questions, or if you're ready to schedule an appointment to submit the revised plans, fees, etc. Thanks.

Richard Claghorn

Principal Regional Planning Assistant
Zoning Permits North Section
Department of Regional Planning
320 W. Temple Street, Room 1348
Los Angeles, CA 90012
Phone: 213-974-6443

From: Richard Claghorn
Sent: Tuesday, August 02, 2016 9:27 AM
To: 'shaul yakovi' <shaul92@gmail.com>
Subject: RE: Project R2012-02971

Hi Shaul,

I've rescheduled the meeting to Wednesday, August 10 at 1:00 pm based on our conversation today. Please confirm that this time will be okay. Thanks.

Richard Claghorn

Principal Regional Planning Assistant
Zoning Permits North Section
Department of Regional Planning
320 W. Temple Street, Room 1348
Los Angeles, CA 90012
Phone: 213-974-6443

From: Richard Claghorn
Sent: Tuesday, July 26, 2016 11:26 AM
To: 'shaul yakovi' <shaul92@gmail.com>
Subject: RE: Project R2012-02971

Hi Shaul,

Based on our conversation today, I've rescheduled our meeting to next Wednesday, Aug. 3, at 1:00 pm. I hope you feel better soon.

Richard Claghorn

Principal Regional Planning Assistant
Zoning Permits North Section
Department of Regional Planning

320 W. Temple Street, Room 1348
Los Angeles, CA 90012
Phone: 213-974-6443

From: Richard Claghorn
Sent: Tuesday, July 19, 2016 11:34 AM
To: 'shaul yakovi' <shaul92@gmail.com>
Subject: RE: Project R2012-02971

Hi Shaul,

I rescheduled the meeting for Wednesday, July 27 at 1:00 pm. Previously the meeting was set for July 18, although July 20 was the deadline, so that may have been the reason for the confusion (see below). I'll extend the deadline until at least July 27, and we will go over it next week in more detail at that time. Please confirm if that time works for you. Thanks.

Richard Claghorn
Principal Regional Planning Assistant
Zoning Permits North Section
Department of Regional Planning
320 W. Temple Street, Room 1348
Los Angeles, CA 90012
Phone: 213-974-6443

From: shaul yakovi [<mailto:shaul92@gmail.com>]
Sent: Tuesday, June 14, 2016 3:09 PM
To: Richard Claghorn <rclaghorn@planning.lacounty.gov>
Subject: Re: Project R2012-02971

Ok sound good
Thanks
Shaul

Sent from my iPhone

On Jun 14, 2016, at 10:19 AM, Richard Claghorn <rclaghorn@planning.lacounty.gov> wrote:

Hello Shaul,

I extended the due date for corrections to July 20, 2016. I received an email from Sami Maalouf last week that said he was going to provide updated drawings before the June 20 deadline. If possible, the drawings should be provided before June 20, or soon thereafter. However, since you think more time may be needed, and since I'll be on vacation between June 24 and July 10, I decided to provide an extension. I can schedule an appointment in July as you requested to submit the corrections. Let me know if Monday, July 18 at 1:00 pm is okay. If not, let me know another day and time when you can come in. Thanks.

Richard Claghorn

Principal Regional Planning Assistant
Zoning Permits North Section
Department of Regional Planning
320 W. Temple Street, Room 1348
Los Angeles, CA 90012
Phone: 213-974-6443



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

March 23, 2016

Shaul Yakovi/Erez Karni
32222 Agua Dulce Canyon Rd.
Agua Dulce, CA 91390

SUBJECT: REQUEST FOR REVIEW MATERIALS

Project: R2012-02971 – (5)

Case: CUP No. 201200163

Address: 32222 Agua Dulce Canyon Rd.

Dear Applicant:

The Department of Regional Planning is currently reviewing the project identified above and has determined that additional materials and information are required before we can proceed further. This is an update to the previous letter from July 15, 2015 following your submittal of revised plans on February 2, 2016. Please address the following items and submit the necessary additional items by **June 20, 2016** or the project may be **DENIED** due to inactivity:

SITE PLAN

- ✓ 1. "Guest house" 12C is located within a slope easement. Structures are not allowed within a slope easement. The structure must be removed or relocated.
2. The new site plan shows 18 new parking spaces that were added to the parking lot in the southwest part of parcel 27 and northwest part of parcel 28. A minimum of 26 feet of backup area is required for all standard parking spaces. The site plan does not show where the edge of this parking lot is. According to the topographic map for RPP 200900080, which previously approved a 36-space parking area there, there are steep slopes within part of the expanded parking lot area, which would require additional grading. A revised grading plan with total grading amounts (cubic yards of cut and fill) will need to be provided to account for the expanded parking lot area and other proposed changes to the site where grading is required. Parking lots may not have slopes exceeding 5%, so if the slopes exceed 5%, grading will be needed to flatten out the parking areas. The site plan needs to include a detailed topographic map in order to see what the existing grade is in the parking areas and other sloping areas of the site. The edges of the parking areas also need to be clearly defined. There is no clear eastern edge to the backup area for the parking spaces on parcel 27 between the handicapped spaces and tennis courts, so it's not clear if the required 26 feet of unobstructed backup area will be provided.
- ✓ 3. The dining pad (#11) was changed to a photo pad on the latest revised site plan. However, there is still a small kitchen shown adjacent to the pad, so we would still consider it a dining pad, even though it is now labeled "photo pad". In order to have it not classified as a dining pad, along with the requirement for 78 parking spaces, the adjacent kitchen would need to be eliminated and the pad could not be used as a dining area.
4. Guard shack #40 west of parcels 54 and 28 is in the public right-of-way, and so is part of the gate. The dashed line on the site plan that runs through the gate and east of the guard

Need to
show
parking

shack corresponds to the property line, based on the Assessor's map and on our GIS maps. They may not be located within the ROW or any future dedication area, so they must be removed or relocated. Also, the guard shack is listed as 150 square feet on the site plan, even though it appears to be about 35 square feet (5' x 7').

5. The proposed signs are shown within the ROW area. The sign locations must be relocated outside of the ROW.
6. The parking summary on the site plan is not accurate. The square footages are not listed correctly, the required parking information is incorrect, and most uses are not included. It lists 207 spaces provided, which is not accurate based on the current site plan. You don't need to have a complete parking summary on the site plan, but it should at least list the number of parking spaces provided and the number required. A detailed analysis can be included on a separate page. The number of parking spaces depicted on the revised plans is 358, which is still short of what is required. An updated parking matrix was prepared listing all of the proposed uses (see attached). The total number of required spaces, based on this analysis, is 497. It could be reduced to 419 if the kitchen is eliminated next to the "photo pad". Further reductions would be possible if more changes are made. The number of parking spaces will need to be increased substantially unless many of the uses are reduced or eliminated. Please provide a parking matrix incorporating any changes or corrections made to the project. The number of parking spaces provided must be equal to or greater than the number of spaces required.
7. The site is in a State Responsibility Area for fire protection. There is a requirement that a 30-foot setback must be maintained around the perimeter of the property. The Fire Department may allow modifications to this under certain circumstances, but it is strongly recommended that 30-foot setbacks be provided around the perimeter of the property. There are 5 guest cabin units on parcel 25 and 5 guest cabin units on parcel 54 that are currently less than 30 feet from the lot lines. These units should be deleted or relocated.
8. The project is subject to the Healthy Design Ordinance (HDO). Although the HDO was adopted after the submittal, its requirements are still applicable. The main requirement is that bicycle parking space needs to be provided. Based on the uses currently proposed on the 5 remaining parcels, a total of 11 short term and 7 long term bicycle parking spaces are required. This is based on the following ratios: one short term parking space per 40 guest rooms and one long term space per 20 guest rooms; one short term parking space per 5,000 square feet of other commercial buildings and one long term space per 12,000 square feet of other commercial buildings. Long term spaces must be covered, but short term spaces don't need to be covered. Bicycle parking spaces need to be a minimum of 2' x 6' each, and bike racks need to be provided. See the attached handout for additional details on the bike parking. Show the required bike spaces on the plan.
9. The parking lot east of the tennis courts includes some parking spaces which have less than 26 feet of backup area, based on the updated site plan. Please revise to comply with the 26-foot backup space requirement.
- ✓ 10. There is a square south of the snack bar (building #44) on the site plan that is unidentified. It appears to be a possible structure. Please indicate whether this is a structure and identify what it represents.

ARCHITECTURAL PLANS

- ✓ 11. The elevation plans for the houses show garages. Please show the driveways leading to the garages on the site plan.
12. Please provide floor plans and elevation plans for all proposed buildings or any buildings where work is being proposed. Some plans were provided, but many were not. No floor plans for the 3,500 sf guest units were provided, or for the 1,500 sf spa buildings, 2,400 sf buildings, 1,000 sf buildings, 500 sf restrooms, 400 sf restrooms, etc. Plans must show the building dimensions and must be drawn to scale.
- ✓ 13. Elevation plans were provided for a 1,000 square foot (25' x 40') structure, but it's not clear which structure it is intended to represent. Six 1,000 square foot buildings are shown on the

Still
Need
Floor Plan
for 3500 sf
guest units

site plan but none match the same dimensions. Using the scale, approximate dimensions appear to be 32' x 32' for building #8, 12' x 47' for buildings #21 and #42, 18' x 60' for buildings #22 and #23, and 27' x 50' for building #43. Please make sure building dimensions are accurate and consistent on the site plan, floor plans, and elevations for all structures.

14. Include the existing and proposed floor plans for the restaurant structure (building #24) and clearly show any alterations being proposed for the building, and for any other existing structures being altered. Obtain an occupant load determination from Building & Safety for the restaurant, based on the proposed floor plan. The existing occupant load count for the restaurant is 134. A much lower occupant load count would be possible based on a more detailed floor plan showing the dining area, kitchen area, restrooms, and the interior layout of the restaurant. Required parking for the restaurant is based on one space per 3 occupants.

APPLICATION/PROJECT DESCRIPTION

15. The project description gives the project area as 94 acres. However, adding up the areas of the 8 parcels listed on the Assessor's maps gives a total of 90.63 acres. Since there are 3 parcels which now are no longer part of the project area, the project area needs to be updated. Based on Assessor's records, it appears the 5 remaining parcels have a combined area of 61.75 acres.
16. In the project description (page 2, paragraph 3) it says the existing hillsides would remain in their natural state. No proposed grading is listed on the application form. However, there will clearly need to be significant amounts of grading to accomplish the project. The previous plot plan approval (RPP 200900080) included 12,983 cubic yards of cut and 3,214.88 cubic yards of fill. Proposed export was listed as 682.7 cubic yards. This grading was related to a proposed parking area that apparently has not yet been started, and which is still proposed. Since this parking area is still proposed, and since it also appears grading may be needed for some of the other development in sloping areas, the grading must be included in the project description. Please provide the total amount of proposed grading (cut and fill, in cubic yards) as well as indicating the total square footage of the areas to be graded.
17. In the project description (second paragraph) it says all proposed improvements will be kept out of the flood zone. You don't have to discuss the flood zone in the project description, but if you do it needs to be accurate. It appears a number of buildings and other improvements are located in the FEMA flood zone, including the restrooms (#4), photo/dining pad (#11), tennis and basketball courts, spa (#31 & #33), and snack bar (#44). Public Works will need to review the flood zone issues, but you should be aware that these buildings and improvements may need to be modified, removed or relocated.
18. The project description mentions some proposed uses that are not labeled on the site plan. No equestrian facilities or stables are identified on the site plan, even though they're mentioned in the description. If any such facilities exist or are proposed, please show them on the site plan. Indicate how many horses are to be kept there and show the stalls on the floor plan of any stables. Describe the purpose of the stables. Are they for keeping horses owned by the owner, to provide horse rides for guests, boarding of horses, or some other purpose? Please provide a description of how the equestrian facilities are to be used and show where they are located.
19. The description mentions a juice bar, but this is not shown on the plan. Is this use the same as the snack bar?
20. A soccer field is mentioned in the description but is not shown on the site plan. It should be

deleted from the description unless it is shown on the site plan.

21. The project description on the application mentions installing a monument sign. Is this a separate sign from the ones previously approved on 2/19/13? If so, please show the sign location on the site plan and include a sign plan.
22. On the application form the description mentions a winery including testing (tasting?) and selling. No winery is shown on the site plan nor are any facilities for wine tasting or sales identified. The winery should be deleted from the application unless it is also included on the site plan and project description and more details are provided. The winery would also require architectural plans, additional required parking, and more detailed information, such as the amount of projected production, the source of the grapes, estimated number of employees, and other details of the proposed winery operation.
23. The application form states that new building construction will have an area of approximately 112,000 square feet. Please provide a detailed breakdown listing all of the structures and the size of each. Based on the information provided, I estimated the total of the new and existing structures as 81,718 square feet. However, this figure will need to be adjusted if any changes or corrections are made.
24. Please clarify the use of the snack bar. Indicate what types of food items will be sold there and whether it is similar to a take-out restaurant, juice bar, or a small retail food store.
25. Please explain what the purpose of the shacks on parcel 54 is (buildings #25 and #29 and the un-numbered shack next to the guest cabins). Are these guard shacks, storage shacks, or some other use?
26. The project description mentions concerts and other large events. Please include in the description the maximum number of people who would attend a concert or large event on the property, and an estimate of the largest total number of people who would be on the property (all 5 remaining parcels) at any one time, including employees and all other persons.
27. The application form needs to be updated to eliminate the parcels that are no longer part of the project and to update other project information which has changed.
28. The project description (page 2, first paragraph) says parking for 500 vehicles would be provided on site, including a parking lot for 350 vehicles. This information is not accurate and needs to be corrected. Please rewrite the project description with accurate and current information based on the changes to the project.

OTHER

29. Please provide one (1) copy of the articles of incorporation. The articles of incorporation are required to validate that the owner's signature is from an authorized person within the corporation.
30. Please provide additional color photographs of the proposed project area with a photo-key map. Number each photo and show the location/photo direction on the map. The photographs must be taken from ground-level perspective, not aerial views. Include photographs of all existing structures, areas of proposed structures, parking areas and other areas of the site to be developed. The photos provided show the dance pavilion canopy, entrance gate, existing office, handicap parking spaces, restroom structures, and pond on parcel 26. No photos of the existing structures on parcel 54 were provided. No photos have been provided for some other areas where structures are proposed, such as the guest cabins and guest units. More photos are needed to provide a complete picture of existing site conditions.
31. Please resolve the Public Health Environmental Health concerns from the letter dated 2/28/13 and resolve the violations with them.
32. A Certificate of Compliance (COC) is required for APN 3212-008-054 because new buildings are proposed on this parcel and there was no previous tract or parcel map creating the parcel and no prior COC. Please file a COC for Parcel 54. The COC fee is currently \$1,755.
33. A covenant to hold property as one parcel is required. A covenant was done for the north

four parcels for RPP 200900080, but since there are buildings crossing lot lines and shared parking and facilities, all 8 parcels will need to be tied together with a covenant to hold as one parcel. A copy of the draft covenant is attached. The complete legal description must be attached as Exhibit "A", and it must be signed, notarized and recorded. This can be done after the public hearing.

34. This project does not qualify for a categorical exemption under CEQA and requires an Initial Study. Please pay the Initial Study fee and required referral fees. You've already paid \$310 for the Environmental Assessment Initial Review. You'll need to pay an additional \$4,288 to cover the Environmental Assessment Initial Study (Negative Declaration) fee and agency referral fee of \$1,026 for the Department of Public Works and \$433 for the Department of Parks and Recreation. The \$310 you've paid for the Environmental Assessment (ENV) will be deducted from the \$3,139 Initial Study (Negative Declaration) fee, for a balance of \$2,829 ($\$2,829 + \$1,026 + \$433 = \$4,288$). Please note that these fees will need to be paid by the same payer as the \$310 ENV fee (Ronit Waizgen and Shaul Yakovi). If the payer is different the fee will be \$310 higher, and a refund could be requested for the \$310 already paid. The Initial Study is required to evaluate the impacts to the environment of the proposed project and will require consultation with other agencies. Additional information may be requested to complete the environmental review. As currently designed, this project will likely require an Environmental Impact Report (EIR) due to the likelihood of significant impacts due to the large scope of the proposed development. A final environmental determination can't be made until the other departments have had a chance to comment on the project, and they can't provide comments until the required fees are paid. Because of the large number of guest rooms and other uses, other information may be required by other departments, possibly including a traffic study, for example. In order to avoid such requirements, and to avoid an EIR, the project will likely need to be reduced in scope significantly, so that impacts can be avoided or satisfactorily mitigated.
35. The following CUP referral fees are also required before the project can progress: Fire Department referral fee of \$263, Department of Parks and Recreation referral fee of \$512 and Department of Public Health referral of \$609. Please note that checks should be made out to Los Angeles County and not to the individual departments, and are paid at Regional Planning. Planning fees may be made out to LA County Regional Planning.

Fire \$362 DPR \$522 DPH \$621

Please provide a digital copy of any revised plans on a CD or by email, plus 3 full-size hard copies of the plans.

The above list provides a summary of issues that will need to be addressed for this project, although other issues may be identified after consultation with other County departments or other agencies. Some issues may be addressed later in the review process, but some must be addressed prior to the consultation with the other County departments. The most critical issues to be addressed are item #34 and 35 (required fees). Items 1-11 and 14-28 also need to be addressed before the project will be ready to be circulated to the other County departments.

Please note that the Agua Dulce Town Council is a local body that has reviewed and provided comments on land use projects in Los Angeles County. It is recommended that you contact the Town Council to help gain community support for your project. To present before the Agua Dulce Town Council, please contact the Agua Dulce Town Council at the following address to arrange a meeting: 33201 Agua Dulce Canyon Road Box #8, Agua Dulce, CA 91390.

Failure to disclose all pertinent information for consideration in the review of this case could result in delays, continuation of public hearings, new environmental analysis and/or additional costs. Additional materials may be required pending the outcome of consultation with other agencies.

If you have any questions regarding this matter, please contact Richard Claghorn at (213) 974-6443, from 7:30 a.m. to 5:30 p.m., Monday through Thursday or via email at rclaghorn@planning.lacounty.gov. Our offices are closed on Fridays.

Sincerely,

Department of Regional Planning
Richard J. Bruckner
Director

Richard Claghorn, Principal Regional Planning Assistant
Zoning Permits North Section

Project R2012-002971

Richard Claghorn <rclaghorn@planning.lacounty.gov>

Mon 12/3/2018 11:45 AM

To: shaul yakovi <shaul92@gmail.com>

Cc: 'karnier@gmail.com' <karnier@gmail.com>

Hello Shaul,

I haven't heard from you in a while and hope you're doing well. We still haven't received the fees we discussed early this year that we need in order to proceed to the next step in the review of your CUP (Project R2012-002971, CUP 201200163). The fees increased on March 1, 2018 and will probably increase again on March 1, 2019. Here are the current fees:

The fees which we need prior to CUP consultation are as follows:

Fire \$362

DPR \$541

DPH \$643

Total \$1,546

You can pay with on check made out to LA County, or separate checks made out to LA County.

The other fees are currently as follows:

Initial Study \$3,312

Initial Study-DPW consult \$1,084

Initial Study-DPR consult \$458

COC \$1,855

If we don't receive the CUP consultation fees by February 4, 2019 then your case could be scheduled for denial. Please resolve this as soon as possible. Thank you.

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning
320 W. Temple Street, Room 1348
Los Angeles, CA 90012
Phone: 213-974-6443

-----Original Message-----

From: Richard Claghorn

Sent: Wednesday, February 28, 2018 11:04 AM

To: shaul yakovi <shaul92@gmail.com>

Subject: RE: Shaul

Hello Shaul,

The fees which we need prior to CUP consultation are as follows:

Fire \$362

DPR \$522

DPH \$621

Total \$1,505

You can pay with on check made out to LA County, or separate checks made out to LA County.

The other fees are currently as follows:

Initial Study \$3,199

Initial Study-DPW consult \$1,046

Initial Study-DPR consult \$442

COC \$1,790

These fees will increase to the following on March 1, 2018:

Initial Study \$3,312

Initial Study-DPW consult \$1,084

Initial Study-DPR consult \$458

COC \$1,855

You'll need the Initial Study fees before we can do the CEQA consultation, but that will come after the CUP consultation, and isn't needed immediately. You may want to pay the fees now to avoid the increase, but we can still move forward with the CUP consultation once we receive the \$1,505 in CUP consult fees. The COC is a separate issue, and will be needed before the public hearing. However, you'll need to submit all of the related paperwork to pay the COC fee.

Let me know if you have any questions on the fees. Thanks.

Richard Claghorn
Principal Regional Planning Assistant
Zoning Permits North Section
Department of Regional Planning
320 W. Temple Street, Room 1348
Los Angeles, CA 90012
Phone: 213-974-6443

-----Original Message-----

From: Richard Claghorn
Sent: Wednesday, February 28, 2018 7:59 AM
To: 'shaul yakovi' <shaul92@gmail.com>
Subject: RE: Shaul

Hi Shaul,

I'm sorry I missed you yesterday. I didn't know you were coming in. Today is the last day of the current fees. I've attached a copy of the new fee schedule that will be effective on March 1. Let me know if you plan to pay the fees today, and what time you are planning to come in. Thanks.

Richard Claghorn
Principal Regional Planning Assistant
Zoning Permits North Section
Department of Regional Planning
320 W. Temple Street, Room 1348
Los Angeles, CA 90012
Phone: 213-974-6443

-----Original Message-----

From: shaul yakovi [<mailto:shaul92@gmail.com>]
Sent: Tuesday, February 27, 2018 11:07 AM
To: Richard Claghorn <rclaghorn@planning.lacounty.gov>
Subject: Re: Shaul

Hi Richard

I try to come today to pay the fees I understand you took today off so please give me a call tomorrow at 213-923-5225

Sent from my iPhone

> On Feb 20, 2018, at 2:57 PM, Richard Claghorn <rclaghorn@planning.lacounty.gov> wrote:
>
> Hello Shaul,
>
> When we met on Jan. 25 you said you would pay the CUP referral fees we discussed in the next week or two. It doesn't appear the fees have been paid yet. The fees will need to be paid by no later than Feb. 28 at the current rate. If paid after that, the fee will be higher. I don't know exactly what the new fees are going to be yet, but I've heard they will increase 3.6%. Therefore, I would recommend paying before March 1 to avoid the fee increase. Thanks.
>
> Richard Claghorn
> Principal Regional Planning Assistant Zoning Permits North Section
> Department of Regional Planning
> 320 W. Temple Street, Room 1348
> Los Angeles, CA 90012
> Phone: 213-974-6443
>

> -----Original Message-----

> From: Richard Claghorn

> Sent: Thursday, January 25, 2018 1:59 PM

> To: 'shaul yakovi' <shaul92@gmail.com>

> Subject: RE: Shaul

>

> OK

>

>

> -----Original Message-----

> From: shaul yakovi [<mailto:shaul92@gmail.com>]

> Sent: Thursday, January 25, 2018 1:58 PM

> To: Richard Claghorn <rclaghorn@planning.lacounty.gov>

> Subject: Shaul

>

> Hi Richard

> We are let 10-15 minute

>

> Thanks shaul

>

> Sent from my iPhone



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director

Dennis Slavin
Chief Deputy Director

February 6, 2019

Shaul Yakovi/Erez Karmi
32222 Agua Dulce Canyon Rd.
Agua Dulce, CA 91390

SUBJECT: REQUEST FOR REVIEW MATERIALS

Project: R2012-02971 – (5)

Case: CUP No. 201200163

Address: 32222 Agua Dulce Canyon Rd.

Dear Applicant:

The Department of Regional Planning is currently reviewing the project identified above and has determined that additional materials and information are required before we can proceed further. This is an update to the previous letter from March 23, 2016. Please address the following items and submit the necessary additional items by **May 6, 2019** or the project will be **DENIED** due to inactivity:

SITE PLAN

1. The current site plan (submitted 8/10/16) does not show any parking spaces. The previous version of the plan, submitted on 2/2/16, showed some parking spaces that appear to provide less than 26 feet of backup area, based on the drawing. These included some of the spaces east and northeast of the tennis courts and the spaces in the parking lot near the southwest part of parcel 27 and northwest part of parcel 28. A minimum of 26 feet of backup area is required for all standard parking spaces. The edges of the parking areas also need to be clearly defined. There is no clear eastern edge to the backup area for the parking spaces on parcel 27 between the handicapped spaces and tennis courts, so it's not clear if the required 26 feet of unobstructed backup area will be provided. Compact spaces (minimum size 8' x 15') require a minimum of 23 feet of backup area, but would need to be clearly marked if any are provided.
2. Guard shack #40 west of parcels 54 and 28 is in the public right-of-way (ROW), and so is part of the gate. The dashed line on the site plan that runs through the gate and east of the guard shack corresponds to the property line, based on the Assessor's map and on our GIS maps. They may not be located within the ROW or any future dedication area, so they must be removed or relocated. Also, the

- guard shack is listed as 150 square feet on the site plan, even though it appears to be about 35 square feet (5' x 7').
3. The proposed sign shown west of Parcel 28 and Parcel 54 is within the ROW area. This sign location must be relocated outside of the ROW. The existing sign near the main entrance on Parcel 26 is also within the ROW. The new sign location depicted on the site plan near the entrance on Parcel 26 is outside of the ROW, but is within the driveway. It needs to be moved to a location on Parcel 26 that is not in the driveway.
 4. The number of parking spaces depicted on the revised plans is 358, which is still short of what is required. A parking matrix was prepared listing all of the proposed uses (see attached). The total number of required spaces, based on this analysis, is 409. Reductions to the parking requirement would be possible if more changes are made to the project. The number of parking spaces will need to be increased substantially unless many of the uses are reduced or eliminated. Please provide a revised parking matrix incorporating any changes or corrections made to the project. The number of parking spaces provided must be equal to or greater than the number of spaces required.
 5. The site is in a State Responsibility Area for fire protection. There is a requirement that a 30-foot setback must be maintained around the perimeter of the property. The Fire Department may allow modifications to this under certain circumstances, but it is strongly recommended that 30-foot setbacks be provided around the perimeter of the property. There are 5 guest cabin units on parcel 25 and 5 guest cabin units on parcel 54 that are currently less than 30 feet from the lot lines. These units should be deleted or relocated.
 6. The project is subject to the Healthy Design Ordinance (HDO). Although the HDO was adopted after the submittal, its requirements are still applicable. The main requirement is that bicycle parking space needs to be provided. Based on the uses currently proposed on the 5 remaining parcels, a total of 11 short term and 7 long term bicycle parking spaces are required. This is based on the following ratios: one short term parking space per 40 guest rooms and one long term space per 20 guest rooms; one short term parking space per 5,000 square feet of other commercial buildings and one long term space per 12,000 square feet of other commercial buildings. Long term spaces must be covered, but short term spaces don't need to be covered. Bicycle parking spaces need to be a minimum of 2' x 6' each, and bike racks need to be provided. See the attached handout for additional details on the bike parking. Show the required bike spaces on the plan.

ARCHITECTURAL PLANS

7. Please provide floor plans and elevation plans for all proposed buildings or any buildings where work is being proposed. Some plans were provided, but the floor plans for the 3,500 sf guest units are still needed. Plans must show the building dimensions and must be drawn to scale.
8. Include the existing and proposed floor plans for the restaurant structure (building #24) and clearly show any alterations being proposed for the building, and for any other existing structures being altered. Obtain an occupant load determination

from Building & Safety for the restaurant, based on the proposed floor plan. The existing occupant load count for the restaurant is 134. A much lower occupant load count would be possible based on a more detailed floor plan showing the dining area, kitchen area, restrooms, and the interior layout of the restaurant. Required parking for the restaurant is based on one space per 3 occupants.

APPLICATION/PROJECT DESCRIPTION

9. The project description gives the project area as 94 acres. However, adding up the areas of the 8 parcels listed on the Assessor's maps gives a total of 90.63 acres. Since there are 3 parcels which now are no longer part of the project area, the project area needs to be updated. Based on Assessor's records, it appears the 5 remaining parcels have a combined area of 61.75 acres.
10. In the project description (page 2, paragraph 3) it says the existing hillsides would remain in their natural state. No proposed grading is listed on the application form. However, there will clearly need to be significant amounts of grading to accomplish the project. The previous plot plan approval (RPP 200900080) included 12,983 cubic yards of cut and 3,214.88 cubic yards of fill. Proposed export was listed as 682.7 cubic yards. This grading was related to a proposed parking area that apparently has not yet been started, and which is still proposed. Since this parking area is still proposed, and since it also appears grading may be needed for some of the other development in sloping areas, the grading must be included in the project description. Please provide the total amount of proposed grading (cut and fill, in cubic yards) as well as indicating the total square footage of the areas to be graded.
11. In the project description (second paragraph) it says all proposed improvements will be kept out of the flood zone. You don't have to discuss the flood zone in the project description, but if you do it needs to be accurate. It appears a number of buildings and other improvements are located in the FEMA flood zone, including the restrooms (#4), photo/dining pad (#11), tennis and basketball courts, spa (#31 & #33), and snack bar (#44). Public Works will need to review the flood zone issues, but you should be aware that these buildings and improvements may need to be modified, removed or relocated.
12. The project description mentions some proposed uses that are not labeled on the site plan. No equestrian facilities or stables are identified on the site plan, even though they're mentioned in the description. If any such facilities exist or are proposed, please show them on the site plan. Indicate how many horses are to be kept there and show the stalls on the floor plan of any stables. Describe the purpose of the stables. Are they for keeping horses owned by the owner, to provide horse rides for guests, boarding of horses, or some other purpose? Please provide a description of how the equestrian facilities are to be used and show where they are located.
13. The description mentions a juice bar, but this is not shown on the plan. Is this use the same as the snack bar?
14. A soccer field is mentioned in the description but is not shown on the site plan. It should be deleted from the description unless it is shown on the site plan.
15. The project description on the application mentions installing a monument sign. Is

- this a separate sign from the ones previously approved on 2/19/13? If so, please show the sign location on the site plan and include a sign plan.
16. On the application form the description mentions a winery including testing (tasting?) and selling. No winery is shown on the site plan nor are any facilities for wine tasting or sales identified. The winery should be deleted from the application unless it is also included on the site plan and project description and more details are provided. The winery would also require architectural plans, additional required parking, and more detailed information, such as the amount of projected production, the source of the grapes, estimated number of employees, and other details of the proposed winery operation.
 17. The application form states that new building construction will have an area of approximately 112,000 square feet. Please provide a detailed breakdown listing all of the structures and the size of each. Based on the information provided, I estimated the total of the new and existing structures as 81,718 square feet. However, this figure will need to be adjusted if any changes or corrections are made.
 18. Please clarify the use of the snack bar. Indicate what types of food items will be sold there and whether it is similar to a take-out restaurant, juice bar, or a small retail food store.
 19. Please explain what the purpose of the shacks on parcel 54 is (buildings #25 and #29 and the un-numbered shack next to the guest cabins). Are these guard shacks, storage shacks, or some other use?
 20. The project description mentions concerts and other large events. Please include in the description the maximum number of people who would attend a concert or large event on the property, and an estimate of the largest total number of people who would be on the property (all 5 remaining parcels) at any one time, including employees and all other persons.
 21. The application form needs to be updated to eliminate the parcels that are no longer part of the project and to update other project information which has changed.
 22. The project description (page 2, first paragraph) says parking for 500 vehicles would be provided on site, including a parking lot for 350 vehicles. This information is not accurate and needs to be corrected. Please rewrite the project description with accurate and current information based on the changes to the project.

OTHER

23. Please provide one (1) copy of the articles of incorporation. The articles of incorporation are required to validate that the owner's signature is from an authorized person within the corporation.
24. Please provide additional color photographs of the proposed project area with a photo-key map. Number each photo and show the location/photo direction on the map. The photographs must be taken from ground-level perspective, not aerial views. Include photographs of all existing structures, areas of proposed structures, parking areas and other areas of the site to be developed. The photos provided show the dance pavilion canopy, entrance gate, existing office, handicap parking spaces, restroom structures, and pond on parcel 26. No photos of the existing

structures on parcel 54 were provided. No photos have been provided for some other areas where structures are proposed, such as the guest cabins and guest units. More photos are needed to provide a complete picture of existing site conditions.

25. Please resolve the Public Health Environmental Health concerns from the letter dated 2/28/13 and resolve the violations with them.
26. A Certificate of Compliance (COC) is required for APN 3212-008-054 because new buildings are proposed on this parcel and there was no previous tract or parcel map creating the parcel and no prior COC. Please file a COC for Parcel 54. The COC fee is currently \$1,855.
27. A covenant to hold property as one parcel is required. A covenant was done for the north four parcels for RPP 200900080, but since there are buildings crossing lot lines and shared parking and facilities, all 8 parcels will need to be tied together with a covenant to hold as one parcel. A copy of the draft covenant is attached. The complete legal description must be attached as Exhibit "A", and it must be signed, notarized and recorded. This can be done after the public hearing.
28. This project does not qualify for a categorical exemption under CEQA and requires an Initial Study. Please pay the Initial Study fee and required referral fees. The current fees are \$3,312 for the Initial Study Fee (Negative Declaration), \$1,084 for the Department of Public Works referral fee, and \$458 for the Department of Parks and Recreation referral fee. Please note that the fees will increase on March 1, 2019, so if paid after then the amounts will be higher. A refund may be requested for the \$310 paid previously for the Environmental Assessment, if the Initial Study fee is paid. The Initial Study is required to evaluate the impacts to the environment of the proposed project and will require consultation with other agencies. Additional information may be requested to complete the environmental review. As currently designed, this project will likely require an Environmental Impact Report (EIR) due to the likelihood of significant impacts due to the large scope of the proposed development. A final environmental determination can't be made until the other departments have had a chance to comment on the project, and they can't provide comments until the required fees are paid. Because of the large number of guest rooms and other uses, other information may be required by other departments, possibly including a traffic study, for example. In order to avoid such requirements, and to avoid an EIR, the project will likely need to be reduced in scope significantly, so that impacts can be avoided or satisfactorily mitigated.
29. The following CUP referral fees are also required before the project can progress: Fire Department referral fee of \$384, Department of Parks and Recreation referral fee of \$541 and Department of Public Health referral of \$643 (this fee is \$1,053 if they require a noise review). Please note that checks should be made out to Los Angeles County and not to the individual departments, and are paid at Regional Planning.

Please provide a digital copy of any revised plans on a CD or by email, plus 2 full-size hard copies of the plans.

February 6, 2019

Page 6

The above list provides a summary of issues that will need to be addressed for this project, although other issues may be identified after consultation with other County departments or other agencies. Some issues may be addressed later in the review process, but some must be addressed prior to the consultation with the other County departments. The most critical issues to be addressed are item #28 and 29 (required fees). Items 1-22 also should be addressed before the project is circulated to the other County departments.

Please note that the Agua Dulce Town Council is a local body that has reviewed and provided comments on land use projects for the Agua Dulce area of Los Angeles County. It is recommended that you contact the Town Council to help gain community support for your project. To present before the Agua Dulce Town Council, please contact the Agua Dulce Town Council at the following address to arrange a meeting: 33201 Agua Dulce Canyon Road Box #8, Agua Dulce, CA 91390. You can also call Council President Don Henry at (661) 268-1731 to request an item be placed on their agenda. Their email address is info@adtowncouncil.com.

Failure to disclose all pertinent information for consideration in the review of this case could result in delays, continuation of public hearings, new environmental analysis and/or additional costs. Additional materials may be required pending the outcome of consultation with other agencies.

If you have any questions regarding this matter, please contact Richard Claghorn at (213) 974-6443, from 7:30 a.m. to 5:30 p.m., Monday through Thursday or via email at rclaghorn@planning.lacounty.gov. Our offices are closed on Fridays.

Sincerely,

Department of Regional Planning
Amy J. Bodek, AICP
Director



Richard Claghorn, Principal Regional Planner
Zoning Permits North Section

Attachments:

Draft Parking Analysis
Draft Covenant to Hold Property as One Parcel
DPH Letter from 2/28/13

Gardens of Paradise (2016 update)

number	building description	sq. ft.	occ. load	New/exist	Parcel	pkg. req.
1	storage	2,000	7	N	25	2.3
2	kitchen	2,000	10	N	25	3.3
3	(deleted)					
4	restrooms	400	0	N	25	0.0
5	pavilion canopy	8,205	547	E	25-26	182.3
6	office	1,914	19	E	26	4.8
7	restrooms	735	0	E	26	0.0
8	kitchen	250	5	N	26	1.7
9	storage	2,000	8	N	27	2.0
10	restrooms	735	0	E	26	0.0
11	storage/photo pad	150		N	27	0.2
12	guest A	3,500	18	N	25	2.0
	guest B	3,500	18	N	25	2.0
	guest C	3,500	18	N	25	2.0
	(deleted)					
	guest D	3,500	18	N	26	2.0
	guest E	3,500	18	N	26	2.0
13	cabins 1-9	2,430	18	N	25	9.0
	cabins 10-18	2,430	20	N	25	9.0
	cabins 19-20	540	8	N	25	2.0
	cabins 21-26	1,620	14	N	25	6.0
	cabins 27-31	1,350	10	N	25	5.0
	cabins 32-34	810	6	N	25	3.0
14	guard shack	47	1	E	26	1.0
15	storage	2,400	8	N	54	2.4
16	hair salon	2,400	48	N	54	9.6
17	storage	2,400	40	N	54	2.4
18	nail salon	2,400	48	N	54	9.6
19	spa	2,400	48	N	54	16.0
20	spa	2,400	48	N	54	16.0
21	storage	558	4	E	54	0.6
22	shower	1,020	0	N	54	0.0
23	restrooms	1,020	0	N	54	0.0
24	restaurant/storage	2,000	134	E	54	44.7
25	shack	48	1	E	54	1.0
26	2-story house	1,460	10	E	54	2.0
27	2-story guest house	1,400	7	E	54	0.0
28	caretaker mobile home	1,200	6	E	54	2.0
29	shack	200	1	E	54	1.0
	shack (by cabins)	40		N	54	1.0
30	restrooms	500	0	N	54	0.0
31	spa	1,500	30	N	54	10.0
32	cabins 35-36	540	4	N	54	2.0
	cabins 37-38	540	4	N	54	2.0
	cabins 39-42	1,080	8	N	54	4.0

cabins 43-44	540	4 N	54	2.0
cabins 45-52	2,160	22 N	54	8.0
(deleted)	0		54	
33 spa	1,500	30 N	54	10.0
40 guard shack	150	1 N	54	1.0
42 laundry	558	0 N	54	0.0
44 snack bar	531	14 N	54	10.0
subtotal	78,060	1,283		398.8
other uses				
pond		E	25-26	0.0
tennis court 1		N	27	2.0
tennis court 2		N	27-28	2.0
basketball court 1		N	28	3.3
basketball court 2		N	28	3.3
pool 1		E	54	0.0
pool 2		E	54	0.0
pool 3		E	54	0.0
pool 4		E	54	0.0
Total				409.49

Total required 409
Total Provided 358

Parking provided	parcel(s)	spaces
hillside parking lot	25-26	167
handicapped spaces	26-27	8
hillside parking lot 2	27-28	54
creekside parking area	26-28	115
guest unit garages	25-27	10
Parcel 54 parking	54	4
		358

Building area breakdown

guest rooms/cabins	31,540
dance pavilion	8,205
residential	4,060
other commercial uses	34,255
total commercial uses	42,460

Bicycle parking	units	sf	short term	long term
guest rooms	66	31,540	2.0	3.3
commercial		42,460	8.5	3.5
total			10.5	6.8



RECORDING REQUESTED BY:

Department of Regional Planning
320 West Temple Street
Room 1360, Hall of Records
Los Angeles, California 90012

WHEN RECORDED MAIL TO:

Name: Ben & Reef - Ronit Waizgen

Street: 5837 Donna Ave..

City: Tarzana, CA 91356

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COVENANT AND AGREEMENT TO HOLD PROPERTY AS ONE PARCEL

The undersigned hereby certify that we are the owners of real property located in the County of Los Angeles, State of California that is legally described as follows:

See attached Exhibit "A"

As recorded in the Records of Los Angeles County. The property is located at and is known by the following address: 32222 Agua Dulce Canyon Rd.

Assessor Parcel Number(s): 3212-007-025, -026, -027 & -028, and 3212-008-054

We hereby agree and covenant with the County of Los Angeles that the above legally described real property shall be held as one parcel and no portion shall be sold separately.

This covenant and agreement is executed for the purpose of obtaining approval for a recreation club and related uses regulated by Title 22 (Zoning Ordinance) of the Los Angeles County Code.

This covenant and agreement shall run with all the above described land and shall be binding upon ourselves, future owner's, encumbrancers, their successors, heirs or assignees and shall continue in effect until released by the authority of the Director of Planning of the County of Los Angeles upon submittal of request, applicable fees and evidence that the Covenant and Agreement is no longer required by law.

Project No.: R2012-02971 Permit No.: RCUP 200900163

Executed this _____ day of _____, 20__ at _____, California, under penalty of perjury of the laws of the State of California.

OWNER(S) NAME:

SIGNED: _____

SIGNED: _____

PRINT NAME: _____

PRINT NAME: _____

(Signatures must be notarized)



COUNTY OF LOS ANGELES • DEPARTMENT OF HEALTH SERVICES
ENVIRONMENTAL HEALTH
WATER QUALITY PROGRAM
5050 Commerce Drive, Baldwin Park CA 91706 (626) 430-5420
Public Email: waterquality@ph.lacounty.gov
Fax (626) 813-3013

DATE: 3-19-2013

FAX TRANSMITTAL TO:

ATTENTION: Rob Blasere - Regional Planning

FAX: (213) 626-0434

Phone: _____

FAX TRANSMITTAL FROM:

NAME OF SENDER: Teri Hachey

PROGRAM: Water Quality Program

OFFICE PHONE: (626) 430-5420

FAX NUMBER: (626) 813-3013

626-287-7017

TOTAL NUMBER OF PAGES INCLUDING COVER SHEET 4

COMMENTS:

thank you

Teri Hachey

IF YOU HAVE ANY PROBLEMS OR HAVE NOT RECEIVED THE NUMBER OF PAGES SENT, PLEASE CONTACT US AS SOON AS POSSIBLE.



Environmental Health
ANGELO J. BELLOMO, REHS
Director of Environmental Health

Drinking Water Program
RICHARD LAVIN, REHS
Chief Environmental Health Specialist
5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5420 • FAX (626) 813-3013



BOARD OF SUPERVISORS

Glenn Melina
First District
Mark Ridley Thomas
Second District
Zoe Yarrabenthy
Third District
Don Knabe
Fourth District
Michael D. Antonovich
Fifth District

HEARING NOTICE

28 February 2013

Shaul Yakovi
32222 Agua Dulce Canyon Road
Agua Dulce, CA 91390

Gardens of Paradise Park
Water System 1900009
32222 Agua Dulce Canyon Road
Agua Dulce, CA 91390

The Los Angeles County Department of Public Health, Environmental Health Division, Drinking Water Program directs you to appear at a Department Hearing:

Date: Tuesday 19 March 2013
Time: 10:00 AM
Location: Los Angeles County Department of Public Health, Environmental Health Division
5050 Commerce Drive, Baldwin Park, CA 91706

Upon arrival at the Environmental Health customer counter, call extension 5420.

The owners, representatives, and/or legal counsel of Gardens of Paradise Park Water System are directed to present any relevant facts and plan of correction to address the repeated violation of the California Code of Regulations Title 22 Section 64423.

Failure to appear for this Department Hearing may result in the imposition of additional enforcement actions and/or administrative penalties from \$324.00 in accordance with Los Angeles County Code Section 8.04.728(F).

Richard Lavin, R.E.H.S.
Chief Environmental Health Specialist

C: Sutida Bergquist, California Department of Public Health
Vincent Gallegos, Los Angeles County Local Primacy Agency
Teri Hachey, Los Angeles County Drinking Water Program
Office of the Los Angeles County Counsel

RL:jm

CERTIFIED MAIL



ENVIRONMENTAL HEALTH

Drinking Water Program

5050 Commerce Drive, Baldwin Park, CA 91706
 Telephone: (626) 430-5420 • Facsimile: (626) 813-3013
 Email: waterquality@ph.lacounty.gov
http://publichealth.lacounty.gov/eh/ep/dw/dw_main.htm



COST RECOVERY AND EXPENSE BILLING NOTICE

INVOICE NUMBER: 1900730-20130228

BILL TO:	BILLING DATE	DUE DATE
SHAUL YAKOVI	2/28/2013	3/28/2013
32222 AGUA DULCE CANYON ROAD		
AGUA DULCE, CA 91390		
GARDENS OF PARADISE PARK # 1900730		

ADDITIONAL FEES ARE INCURED WHEN REVIEWS, CONSULTATIONS, GUIDANCE, FIELD INSPECTION RESCHEDULING/ SCHEDULING LESS 48 HOURS NOTICE, SAMPLING, EMERGENCY RESPONSE, SERVICE EXTENDING BEYOND NORMAL WORK HOURS, OR ANY ACTIVITY BEYOND INITIAL LICENSE/PERMIT/APPLICATION FEES. RECOVERABLE COSTS/EXPENSES MAY INCLUDE BUT ARE NOT LIMITED TO: CONTRACT SERVICES, STAFF TIME, PURCHASES, TRAVEL EXPENSES, MEETING EXPENSES, TRAINING COSTS, BOARD OF DIRECTOR MEETING COSTS, AND CONTRACTOR EXPENSES.

DESCRIPTION OF CHARGE	UNITS	RATE Per	AMOUNT
CHARGES FOR TIME SPENT COLLECTING WATER QUALITY SAMPLES		\$129.00 hr.	\$ -
ADDITIONAL HOURLY CHARGE FOR SERVICES RENDERED BEYOND NORMAL WORKING HOURS: 8AM - 5PM		\$129.00 hr.	\$ -
CITATION Public Water Systems		\$649.00	\$ -
CITATION Local and State Small Water System		\$519.00	\$ -
ADMINISTRATIVE HEARING	1.00	\$324.00	\$ 324.00
NOTICE OF VIOLATION AND ORDER	1.00	\$260.00	\$ 260.00
MAKE check or money orders payable to: LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH DRINKING WATER FUND # 23631			
DUE ON RECEIPT DELINQUENT AFTER 30 DAYS			
TOTAL DUE:			\$584.00

Inquiries relating to this bill should be directed to (626)430-5420

SECTION 4019.10 THROUGH 4019.45 OF THE CALIFORNIA HEALTH AND SAFETY CODE: ALL PUBLIC WATER SYSTEM SHALL REIMBURSE THE JURISDICTION HAVING AUTHORITY TO CONDUCT THOSE ACTIVITIES MANDATED BY THE CODE RELATED TO THE ISSUANCE OF DOMESTIC WATER SUPPLY PERMITS, INSPECTION, MONITORING, SURVEILLANCE, AND WATER QUALITY EVALUATION THAT RELATE TO THE SPECIFIC PUBLIC WATER SYSTEM.

LACC Title: 8.04.540 Purpose and statutory authority of chapter provisions.

The purpose of the ordinance codified in this chapter is to establish a public health license and public health permit fee system for activities subject to state statutes, orders, quarantines, rules or regulations relating to public health, so that county expenses resulting from enforcement of such state statutes, rules or regulations are offset by the fees collected. The authority for this chapter is Section 101325 of the California Health and Safety Code and Section 33252 of the Food and Agricultural Code. (Ord. 98-0069 § 18, 1998; Ord. 93-0055 § 5, 1993; Ord. 12250 § 1, 1980; Ord. 8609 Art. 1 § 8, 1964.)

LACC Title: 8.04.550 Jurisdiction.

Public health licenses and permits required by this chapter shall be required of any business or activity within the area in which the county health officer enforces any state statute, order, quarantine, rule or regulation relating to public health, whether within or outside an incorporated city. (Ord. 98-0069 § 18, 1998; Ord. 8609 Art. 1 § 7, 1964.)

Retain this page for your records

RE: CUP 201200163

Richard Claghorn <rclaghorn@planning.lacounty.gov>

Wed 1/22/2020 7:39 AM

To: shaul92@gmail.com <shaul92@gmail.com>

 4 attachments (1 MB)

Incomplete_Letter5_RCUP201200163.pdf; Fire_Not_Cleared.pdf; DPH_Not_Cleared.pdf; DPW_Not_Cleared.pdf;

Good morning Shaul,

I hope you're doing well. Could you please provide an update on the progress on your CUP? Have you contacted DPH, DPW, or the Fire Department to resolve the issues in the attached letters? Refer to the letters for the contact information for each department and address the issues described in each. Have you addressed any additional items from the attached letter dated 2/6/19 that I wrote? You paid the CUP referral fees from item #29 of that letter but have still not paid the fees listed in items #27 and 28. Those fees have changed since the last letter as follows: The COC fee from item #27 is now \$1,915. For item #28, the Initial Study fee is now \$3,494 and DPW referral fee is \$1,119. Fees are expected to increase again on March 1 with the annual fee adjustment.

Because of the scope of the project and the many requirements triggered by the many proposed uses, I think you should consider updating your project description and plans to eliminate proposed uses that may make the project more feasible and realistic. You will need to demonstrate progress on the permitting process or the CUP may be denied for inactivity, or denied for failure to meet the requirements. Please provide an update on your progress so we can help the CUP process to move forward. Thank you.

Richard Claghorn

Principal Regional Planner

Zoning Permits North Section

Department of Regional Planning

213-893-7015

From: Richard Claghorn

Sent: Wednesday, August 21, 2019 7:40 AM

To: shaul92@gmail.com

Subject: RE: CUP 201200163

Good morning Shaul,

Here is the letter from DPW about your project. Please review each of the 3 letters I sent you from DPH, DPW and Fire and work with each department to resolve the issues for each. Thanks.

Richard Claghorn

Principal Regional Planner

Zoning Permits North Section

Department of Regional Planning

213-893-7015

From: Richard Claghorn
Sent: Thursday, August 15, 2019 7:26 AM
To: shaul92@gmail.com
Subject: CUP 201200163

Good morning Shaul,

Please read the attached letters from the Department of Public Health and Fire Department about your project. We are still waiting for a letter from the Department of Public Works, which I'll send you once I receive it. Please contact each department to address the issues discussed in the letters. Thanks.

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning
213-893-7015



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director

Dennis Slavin
Chief Deputy Director

September 9, 2020

Shaul Yakovi/Erez Karni
32222 Agua Dulce Canyon Rd.
Agua Dulce, CA 91390

SUBJECT: REQUEST FOR REVIEW MATERIALS

Project: R2012-02971 – (5)

Case: CUP No. 201200163

Address: 32222 Agua Dulce Canyon Rd.

Dear Applicant:

The Department of Regional Planning is currently reviewing the project identified above and has determined that additional materials and information are required before we can proceed further. This is an update to the previous letter from February 6, 2019. Please address the following items and submit the necessary additional items by **October 13, 2020** or the project will be **DENIED**:

SITE PLAN

1. The current site plan (submitted 8/10/16) does not show any parking spaces. The previous version of the plan, submitted on 2/2/16, showed some parking spaces that appear to provide less than 26 feet of backup area, based on the drawing. These included some of the spaces east and northeast of the tennis courts and the spaces in the parking lot near the southwest part of parcel 27 and northwest part of parcel 28. A minimum of 26 feet of backup area is required for all standard parking spaces. The edges of the parking areas also need to be clearly defined. There is no clear eastern edge to the backup area for the parking spaces on parcel 27 between the handicapped spaces and tennis courts, so it's not clear if the required 26 feet of unobstructed backup area will be provided. Compact spaces (minimum size 8' x 15') require a minimum of 23 feet of backup area, but would need to be clearly marked if any are provided.
2. Guard shack #40 west of parcels 54 and 28 is in the public right-of-way (ROW), and so is part of the gate. The dashed line on the site plan that runs through the gate and east of the guard shack corresponds to the property line, based on the Assessor's map and on our GIS maps. They may not be located within the ROW or any future dedication area, so they must be removed or relocated. Also, the



guard shack is listed as 150 square feet on the site plan, even though it appears to be about 35 square feet (5' x 7').

3. The proposed sign shown west of Parcel 28 and Parcel 54 is within the ROW area. This sign location must be relocated outside of the ROW. The existing sign near the main entrance on Parcel 26 is also within the ROW. The new sign location depicted on the site plan near the entrance on Parcel 26 is outside of the ROW, but is within the driveway. It needs to be moved to a location on Parcel 26 that is not in the driveway.
4. The number of parking spaces depicted on the revised plans is 358, which is still short of what is required. A parking matrix was prepared listing all of the proposed uses (see attached). The total number of required spaces, based on this analysis, is 409. Reductions to the parking requirement would be possible if more changes are made to the project. The number of parking spaces will need to be increased substantially unless many of the uses are reduced or eliminated. Please provide a revised parking matrix incorporating any changes or corrections made to the project. The number of parking spaces provided must be equal to or greater than the number of spaces required.
5. The site is in a State Responsibility Area for fire protection. There is a requirement that a 30-foot setback must be maintained around the perimeter of the property. The Fire Department may allow modifications to this under certain circumstances, but it is strongly recommended that 30-foot setbacks be provided around the perimeter of the property. There are 5 guest cabin units on parcel 25 and 5 guest cabin units on parcel 54 that are currently less than 30 feet from the lot lines. These units should be deleted or relocated.
6. The project is subject to the Healthy Design Ordinance (HDO). Although the HDO was adopted after the submittal, its requirements are still applicable. The main requirement is that bicycle parking space needs to be provided. Based on the uses currently proposed on the 5 remaining parcels, a total of 11 short term and 7 long term bicycle parking spaces are required. This is based on the following ratios: one short term parking space per 40 guest rooms and one long term space per 20 guest rooms; one short term parking space per 5,000 square feet of other commercial buildings and one long term space per 12,000 square feet of other commercial buildings. Long term spaces must be covered, but short term spaces don't need to be covered. Bicycle parking spaces need to be a minimum of 2' x 6' each, and bike racks need to be provided. See the attached handout for additional details on the bike parking. Show the required bike spaces on the plan.

ARCHITECTURAL PLANS

7. Please provide floor plans and elevation plans for all proposed buildings or any buildings where work is being proposed. Some plans were provided, but the floor plans for the 3,500 sf guest units are still needed. Plans must show the building dimensions and must be drawn to scale.
8. Include the existing and proposed floor plans for the restaurant structure (building #24) and clearly show any alterations being proposed for the building, and for any other existing structures being altered. Obtain an occupant load determination

from Building & Safety for the restaurant, based on the proposed floor plan. The existing occupant load count for the restaurant is 134. A much lower occupant load count would be possible based on a more detailed floor plan showing the dining area, kitchen area, restrooms, and the interior layout of the restaurant. Required parking for the restaurant is based on one space per 3 occupants.

APPLICATION/PROJECT DESCRIPTION

9. The project description gives the project area as 94 acres. However, adding up the areas of the 8 parcels listed on the Assessor's maps gives a total of 90.63 acres. Since there are 3 parcels which now are no longer part of the project area, the project area needs to be updated. Based on Assessor's records, it appears the 5 remaining parcels have a combined area of 61.75 acres.
10. In the project description (page 2, paragraph 3) it says the existing hillsides would remain in their natural state. No proposed grading is listed on the application form. However, there will clearly need to be significant amounts of grading to accomplish the project. The previous plot plan approval (RPP 200900080) included 12,983 cubic yards of cut and 3,214.88 cubic yards of fill. Proposed export was listed as 682.7 cubic yards. This grading was related to a proposed parking area that apparently has not yet been started, and which is still proposed. Since this parking area is still proposed, and since it also appears grading may be needed for some of the other development in sloping areas, the grading must be included in the project description. Please provide the total amount of proposed grading (cut and fill, in cubic yards) as well as indicating the total square footage of the areas to be graded.
11. In the project description (second paragraph) it says all proposed improvements will be kept out of the flood zone. You don't have to discuss the flood zone in the project description, but if you do it needs to be accurate. It appears a number of buildings and other improvements are located in the FEMA flood zone, including the restrooms (#4), photo/dining pad (#11), tennis and basketball courts, spa (#31 & #33), and snack bar (#44). Public Works will need to review the flood zone issues, but you should be aware that these buildings and improvements may need to be modified, removed or relocated.
12. The project description mentions some proposed uses that are not labeled on the site plan. No equestrian facilities or stables are identified on the site plan, even though they're mentioned in the description. If any such facilities exist or are proposed, please show them on the site plan. Indicate how many horses are to be kept there and show the stalls on the floor plan of any stables. Describe the purpose of the stables. Are they for keeping horses owned by the owner, to provide horse rides for guests, boarding of horses, or some other purpose? Please provide a description of how the equestrian facilities are to be used and show where they are located.
13. The description mentions a juice bar, but this is not shown on the plan. Is this use the same as the snack bar?
14. A soccer field is mentioned in the description but is not shown on the site plan. It should be deleted from the description unless it is shown on the site plan.
15. The project description on the application mentions installing a monument sign. Is

this a separate sign from the ones previously approved on 2/19/13? If so, please show the sign location on the site plan and include a sign plan.

16. On the application form the description mentions a winery including testing (tasting?) and selling. No winery is shown on the site plan nor are any facilities for wine tasting or sales identified. The winery should be deleted from the application unless it is also included on the site plan and project description and more details are provided. The winery would also require architectural plans, additional required parking, and more detailed information, such as the amount of projected production, the source of the grapes, estimated number of employees, and other details of the proposed winery operation.
17. The application form states that new building construction will have an area of approximately 112,000 square feet. Please provide a detailed breakdown listing all of the structures and the size of each. Based on the information provided, I estimated the total of the new and existing structures as 81,718 square feet. However, this figure will need to be adjusted if any changes or corrections are made.
18. Please clarify the use of the snack bar. Indicate what types of food items will be sold there and whether it is similar to a take-out restaurant, juice bar, or a small retail food store.
19. Please explain what the purpose of the shacks on parcel 54 is (buildings #25 and #29 and the un-numbered shack next to the guest cabins). Are these guard shacks, storage shacks, or some other use?
20. The project description mentions concerts and other large events. Please include in the description the maximum number of people who would attend a concert or large event on the property, and an estimate of the largest total number of people who would be on the property (all 5 remaining parcels) at any one time, including employees and all other persons.
21. The application form needs to be updated to eliminate the parcels that are no longer part of the project and to update other project information which has changed.
22. The project description (page 2, first paragraph) says parking for 500 vehicles would be provided on site, including a parking lot for 350 vehicles. This information is not accurate and needs to be corrected. Please rewrite the project description with accurate and current information based on the changes to the project.

OTHER

23. Please provide one (1) copy of the articles of incorporation. The articles of incorporation are required to validate that the owner's signature is from an authorized person within the corporation.
24. Please provide additional color photographs of the proposed project area with a photo-key map. Number each photo and show the location/photo direction on the map. The photographs must be taken from ground-level perspective, not aerial views. Include photographs of all existing structures, areas of proposed structures, parking areas and other areas of the site to be developed. The photos provided show the dance pavilion canopy, entrance gate, existing office, handicap parking spaces, restroom structures, and pond on parcel 26. No photos of the existing

structures on parcel 54 were provided. No photos have been provided for some other areas where structures are proposed, such as the guest cabins and guest units. More photos are needed to provide a complete picture of existing site conditions.

25. A Certificate of Compliance (COC) is required for APN 3212-008-054 because new buildings are proposed on this parcel and there was no previous tract or parcel map creating the parcel and no prior COC. Please file a COC for Parcel 54. The COC fee is currently \$1,972.
26. A covenant to hold property as one parcel is required. A covenant was done for the north four parcels for RPP 200900080, but since there are buildings crossing lot lines and shared parking and facilities, all 5 parcels will need to be tied together with a covenant to hold as one parcel. A copy of the draft covenant is attached. The complete legal description must be attached as Exhibit "A", and it must be signed, notarized and recorded. This can be done after the public hearing.
27. This project does not qualify for a categorical exemption under CEQA and requires an Initial Study. Please pay the Initial Study fee and required referral fees. The current fees are \$3,672 for the Initial Study Fee (Negative Declaration) and \$1,152 for the Department of Public Works referral fee. A refund may be requested for the \$310 paid previously for the Environmental Assessment, if the Initial Study fee is paid. The Initial Study is required to evaluate the impacts to the environment of the proposed project and will require consultation with other agencies. Additional information may be requested to complete the environmental review. As currently designed, this project will likely require an Environmental Impact Report (EIR) due to the likelihood of significant impacts due to the large scope of the proposed development. A final environmental determination can't be made until the other departments have had a chance to comment on the project, and they can't provide comments until the required fees are paid. Because of the large number of guest rooms and other uses, other information may be required by other departments, possibly including a traffic study, for example. In order to avoid such requirements, and to avoid an EIR, the project will likely need to be reduced in scope significantly, so that impacts can be avoided or satisfactorily mitigated.
28. Please address the issues listed in the attached letters from the Fire Department (8/8/19), Department of Public Health (8/14/19) and Department of Public Works (8/14/19). Please contact each department using the contact information listed in the individual letters.

Please provide a digital copy of any revised plans on a CD or by email, plus 2 full-size hard copies of the plans.

Please note that the Agua Dulce Town Council is a local body that has reviewed and provided comments on land use projects for the Agua Dulce area of Los Angeles County. It is recommended that you contact the Town Council to help gain community support for your project. To present before the Agua Dulce Town Council, please contact the Agua Dulce Town Council at the following address to arrange a meeting: 33201 Agua Dulce Canyon Road Box #8, Agua Dulce, CA 91390. You can also call Council President Don

Project R2012-02971 (CUP 201200163)

September 9, 2020

Page 6

Henry at (661) 268-1731 to request an item be placed on their agenda. Their email address is info@adtowncouncil.com.

Failure to submit the required information by October 13, 2020 will result in the CUP being scheduled for a public hearing with a recommendation of denial.

If you have any questions regarding this matter, please contact Richard Claghorn at (213) 974-6443, from 7:30 a.m. to 5:30 p.m., Monday through Thursday or via email at rclaghorn@planning.lacounty.gov. Our offices are closed on Fridays.

Sincerely,

Department of Regional Planning
Amy J. Bodek, AICP
Director

Richard Claghorn, Principal Regional Planner
Zoning Permits North Section

Attachments:

Draft Parking Analysis
Draft Covenant to Hold Property as One Parcel
FD Letter from 8/18/19
DPH Letter from 8/14/19
DPW Letter from 8/14/19



COUNTY OF LOS ANGELES FIRE DEPARTMENT FIRE PREVENTION DIVISION

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

CASE NUMBER: RCUP-201200163
PROJECT NUMBER: R2012-02971

MAP DATE: July 9, 2019
PLANNER: Richard Claghorn

THE FIRE DEPARTMENT RECOMMENDS THAT THIS PROJECT NOT TO BE APPROVED AT THIS TIME AND NOT TO PROCEED WITH THE PUBLIC HEARING PROCESS. THIS RECOMMENDATION MAYBE CHANGED WHEN THE HOLDS BELOW HAVE BEEN ADDRESSED.

HOLDS

Access

1. All on-site Fire Apparatus Access Roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking.
2. Fire Apparatus Access Roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4
3. Provide a minimum unobstructed width of 26 feet, exclusive of shoulders and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building. Fire Code 503.1.1 & 503.2.2
4. Fire Apparatus Access Roads shall be provided with a 32 foot centerline turning radius. Fire Code 503.2.4
5. Dead-end Fire Apparatus Access Roads in excess of 150 feet in length shall be provided with an approved Fire Department turnaround. Fire Code 503.2.5
6. Fire Apparatus Access Roads shall be designed and maintained to support the imposed load of fire apparatus weighing 75,000 pounds, and shall be surfaced so as to provide all-weather driving capabilities. Fire apparatus access roads having a grade of 10 percent or greater shall have a paved or concrete surface. Fire Code 503.2.3(Provide a letter from a certified civil engineer verifying the proposed road is capable of supporting the required weight.)



COUNTY OF LOS ANGELES FIRE DEPARTMENT FIRE PREVENTION DIVISION

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

CASE NUMBER: RCUP-201200163
PROJECT NUMBER: R2012-02971

MAP DATE: July 9, 2019
PLANNER: Richard Claghorn

-
7. On paved private access roads the maximum allowable grade shall not exceed 15% except where topography makes it impracticable to keep within such grade, then an absolute maximum grade of 20% will be allowed for up to 150 feet in distances. The break shall be 50 feet in length with a maximum grade of 5%. The average maximum allowed grade shall not be more than 17%. Change in grade shall not exceed 10% in 10 feet.
 8. Indicate the various grade percentages and their lengths of the Fire Department access roadway on the site plan. Provide a road profile for proposed access roads with grades greater 15 percent.
 9. Abrupt changes in grade shall not exceed the maximum angles of approach and departure for fire apparatus. The first 10 feet of any angle of approach or departure or break-over shall not exceed a 10 percent change or 5.7 degrees. Fire Code 503.2.8
 10. A minimum 5 foot wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. (Fire Code 504.1) Clearly identify firefighter walkway access routes on the site plan. Indicate the slope and walking surface material. Clearly show the required width.
 11. Provide a detail of the proposed guard shack and entrance located off of the Agua Dulce Canyon Rd.

WATER

12. All fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the County of Los Angeles Fire Department C105.1 CFC.
13. All required PUBLIC fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4
14. The required fire flow for the public fire hydrants for this project is gpm at 20

Reviewed by: Joseph Youman

Date: August 08, 2019



COUNTY OF LOS ANGELES FIRE DEPARTMENT FIRE PREVENTION DIVISION

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

CASE NUMBER: RCUP-201200163
PROJECT NUMBER: R2012-02971

MAP DATE: July 9, 2019
PLANNER: Richard Claghorn

psi residual pressure for hours. public fire hydrant(s) flowing simultaneously may be used to achieve the required fire flow. (Fire Code 507.3 & Appendix B105.1) Currently unable to calculate the required Fire Flow. Provide the type of construction, square footage and indicate the installation of automatic fire sprinklers for all proposed structures on site.

15. The required fire flow for the on-site private fire hydrants for this project is gpm at 20 psi residual pressure for hours. on-site fire hydrant(s) flowing simultaneously may be used to achieve the required fire flow. (On-site fire flow is to be the same as public fire flow.)
16. Provide a Form 196 signed and completed by the local water purveyor.
17. Show all existing public fire hydrants to within 300' of all property lines. Should hydrants be in excess of 300', show the location of the nearest public fire hydrant represented by a broken dimension arrow in the location it exists.

FUEL MODIFICATION

18. This property is located within the area described by the Fire Department as the Very High Fire Hazard Severity Zone. A "Preliminary Fuel Modification Plan" shall be submitted and approved prior to public hearing. For details, please contact the Department's Fuel Modification Unit which is located at Fire Station 32, 605 North Angeleno Avenue in the City of Azusa CA 91702-2904. They may be reached at (626) 969-5205.

Additional comments pending the information returned by the applicant for Fire Department plan check; presently all outstanding comments have been addressed via plan check.

For any questions regarding the report, please contact Joseph Youman at (323) 890-4243 or Joseph.Youman@fire.lacounty.gov.



**COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH**

5050 COMMERCE DRIVE BALDWIN PARK, CA 91706 (626) 430-5380

August 14, 2019

CASE: RCUP-201200163

Project: R2012-02971

Planner: Claghorn, Richard

Location: 32222 Agua Dulce Canyon Road Agua Dulce 91390

The Department of Public Health-Environmental Health Division has reviewed the proposed retreat and events center which will include an outdoor dance pavilion, live entertainment, concerts, weddings, corporate retreat events, spa with massage services, winery with wine tasting and sales, a Type 47 Alcoholic Beverage Control license (beer, wine, and distilled spirits sales at a restaurant), 61 guest cabins, five proposed "guest units", and a caretaker mobile home. It is similar in some respects to a private recreation club but does not fit the strict definition of a private recreation club.

RPPL200900080 was approved in 2010 to legalize an outdoor dance pavilion and accessory office and restroom buildings. Permits were never finalized. The zone changed in 2012 from R-R-1 to A-1-2, but this CUP application was filed before the zone change and was allowed to apply under R-R zoning requirements. The proposal has changed since the original submittal as 3 of the original 8 parcels are no longer part of the project.

Project under the current ownership began a new Public Water Supply Permit application around January 2012, however no further action was taken by the project to complete the TMF.

Public Health recommends that the conditions or information requested below be satisfied before agency approval or clearance.

Drinking Water

1. Visitors and employees are required to have a source of *approved safe and reliable* potable water either from an approved onsite source or permitted nearby public water system that meets water demands of the proposed project. **Under the previous ownership and differing site plan and activity, this site was classified as a Transient Non-Community Water System under the PC code of 1900730.**

Prepared by:
Vincent Gallegos, REHS
Environmental Health Specialist IV

2. Where potable is obtained onsite, new and existing Well construction shall conform the Department of Water Resources (DWR) California Well Standards Bulletin 74-81 & 74-90
http://www.water.ca.gov/groundwater/well_info_and_other/california_well_standards/well_standards_content.html Submit a copy(s) of the State Well Completion Report for the existing well that is onsite. Contact the DWR at (818) 500-1645 for any existing well records.
3. Submit application(s) for Production Well Permit” for any proposed well(s) construction review(s). Once the well(s) are constructed, submit application(s) for the Water Supply Yield test(s) for each water source with engineer’s report as required per Chapter 16 of the California Safe Drinking Water Act. For water quality triggers (when necessary), separate application for a Water Treatment System Evaluation will be required. Applications with associated fees may be downloaded at http://publichealth.lacounty.gov/eh/EP/dw/dw_main.htm
4. Per Chapter 16 of the Safe Drinking Water Act, constructed drinking water wells shall require a “Source Capacity Study” that includes an engineer’s report on the project’s watershed, an 8 hour for alluvium, 3 or 10-day for bedrock pump test (Due to the geomorphology of the area, a 3 or 10 day pump test will be required for any well construction) with recovery data and graphs, safe pumping yield determinations, and summary by a California State licensed hydrologist per Title 22 Code of Regulation Chapter 16 California Waterworks Standards. Code details may be viewed online at http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Lawbook.shtml A separate application with the associated fee for this source capacity study is also required and may be downloaded from our site at http://publichealth.lacounty.gov/eh/EP/dw/dw_main.htm
5. Please note that well production or the wells capacity to pump a certain amount of water in gallons per minute (gpm) shall meet the maximum occupancy or per capita or other that results in the greater amount of water demand along with sufficient onsite water storage capacity.
6. Water quality sampling and analysis per California State Title 22 Code of Regulation Chapter 15 will be required. Any analyte triggers may require treatment system mitigation if required. See item 9(f)
7. Based on the type of development you are proposing; the project must obtain a permit as a public water system. According to **Senate Bill No. 1263**, for a

Prepared by:
Vincent Gallegos, REHS
Environmental Health Specialist IV

proposed new public water system that would be regulated by a local primacy agency (LA County Drinking Water Program), the applicant shall start the permitting process by submitting a copy of the [preliminary technical report](#) to the State Water Resources Control Board, Division of Drinking Water for evaluation and further instructions. The preliminary technical report shall include all the following:

- a. The name of each public water system for which any service area boundary is within three miles, as measured through existing public rights-of-way, of any boundary of the applicant's proposed public water system's service area.
- b. A discussion of the feasibility of each of the adjacent public water systems identified pursuant to paragraph above annexing, connecting, or otherwise supplying domestic water to the applicant's proposed new public water system's service area. The applicant shall consult with each adjacent public water system in preparing the report and shall include in the report any information provided by each adjacent public water system regarding the feasibility of annexing, connecting, or otherwise supplying domestic water to that service area.
- c. A discussion of all actions taken by the applicant to secure a supply of domestic water from an existing public water system for the proposed new public water system's service area.
- d. All sources of domestic water supply for the proposed new public water system.
- e. The estimated cost to construct, operate, and maintain the proposed new public water system, including long-term operation and maintenance costs and a potential rate structure.
- f. A comparison of the costs associated with the construction, operation and maintenance, and long-term sustainability of the proposed new public water system to the costs associated with providing water to the proposed new public water system's service area through annexation by, consolidation with, or connection to an existing public water system.
- g. A discussion of all actions taken by the applicant to pursue a contract for managerial or operational oversight from an existing public water system.
- h. An analysis of whether a proposed new public water system's total projected water supplies available during normal, single dry, or multiple dry water years during a 20- year projection will meet the projected water demand for the service area.

8. If the State Water Resources Control Board, Division of Drinking Water approves a proposed new water system, the project is invited to apply and complete the process to obtain a California State Domestic Water Supply Permit through the DPH-EH and comply with permit requirements as indicated in Title 22 of the California Code of Regulations, Article 2, 64552. see:
http://carules.elaws.us/code/t.22_d.4_ch.16_art2_sec.64552
9. Submit an application for a Domestic Water Supply Permit so that the Department of Public Health – Drinking Water Program may properly evaluate your projects ability to meet the requirements as a public water system. Please provide the following data:
 - a. Information regarding the proposed source of water
 - b. A full application package including the following:
 - i. Technical, Managerial, and Financial (TMF) information for evaluation. TMF requirement helps ensure that public water systems have long-term sustainability to maintain compliance with all applicable drinking water laws and regulations. Please contact LA County DPH-EH, Drinking Water program to obtain a contact information for the third party technical assistance providers who may be able to assist the state in helping small water systems in TMF preparation.
 - ii. The documentation of system construction conformity to Title 22, Chapter 16 Water Works Standard including requirements of National Sanitation Foundation Standards 60 and 61.
 - c. Clearly identify the type of operation, and the number of employees.
 - d. Identify the number of proposed toilet facilities, lavatories, urinals, drinking fountains, hose bibs for general facility sanitation, sinks required by the California Plumbing Code, based upon the type of operation and occupancy rate. The water demand for each unit must be determined and an engineer shall prepare a water budget and submit a stamped report.
 - e. Create water system operation plans so that any qualified person unfamiliar with the system can follow and run the system during normal or emergency contingencies.
 - f. System monitoring schedules for ongoing regulatory oversight, i.e. Consumer Confidence Reports, Lead and Copper Rule, Disinfection Byproducts Rules, Total Coliform Rule, Inorganic Chemicals, Volatile

Organic Chemicals, Synthetic Organic Chemicals, Secondary Drinking Water Standards, Radiochemical elements.

Please note that all technical information, including the water system design, construction, and operations plans shall have an engineer's license stamp that verifies system components in conformance with the California Water Works Standard Chapter 16 Title 22 California Code Regulations.

For questions regarding the drinking water comments, please contact Lusi Mkhitarian, Drinking Water Program at (626) 430-5420.

Onsite Waste Water

10. A report to determine the feasibility of installing onsite wastewater treatment systems (OWTS) for the new proposed facilities shall be submitted to the DPH's Land Use Program for review and approval. The report shall be prepared in compliance with DPH's "Conventional and Non-Conventional Onsite Wastewater Treatment Systems – Requirements and Procedures" at www.lapublichealth.org/eh/EP/lu/lu_main.htm
11. The report shall consist of a soil profile excavation, exploratory boring to determine historic and seasonal high groundwater mark and presence of subsurface water, and percolation testing to confirm that the soil on the property can support the use of (N)OWTS. Testing shall be conducted in an area likely to be utilized as a disposal field including the 100% future expansion/dispersion field area.
12. Each lot(s) shall be subject to the following: *minimum lot size density is 2.5 acre per dwelling unit for conventional onsite wastewater system when development(s) are proposed.* Variance for lots not meeting the minimum 2.5 acre require the utilization Non-Conventional Onsite Wastewater Treatment System (NOWTS). NOWTS include in part, enhanced treatment for domestic wastewater in quality, alarm features, annual system sampling with reporting, annual permit, and a County Registrars recorded *covenant & agreement* on the properties/parcels title.
13. The design and installation of (N)OWTS shall conform to the requirements of this Department and other applicable regulatory agencies.
14. The required size and capacity of the proposed (N)OWTS shall be determined based on the factors including, bedrooms, bedroom equivalents, fixture unit count, number of employees, number of parking spaces, restrooms, etc.,

*Prepared by:
Vincent Gallegos, REHS
Environmental Health Specialist IV*

either individually or in combination of one, two or more factors as applicable which results in the largest system capacity and in accordance with *table 201.1-CAPACITY OF SEPTIC TANKS*, *table 201.1(2)-ESTIMATED WASTE SEWAGE FLOW RATES*, and *table H 101.8 LOCATION OF SEWAGE DISPOSAL SYSTEM* of the Los Angeles County Plumbing Code Title 28 - Appendix H and requirements established in the Department's guidelines.

Reference: https://library.municode.com/CA/Los_Angeles_County/codes/code_of_or_dinances?nodeId=TIT28PLCO

15. For new system installation, submit project review application to Chris Gibson at 26415 Carl Boyer Dr. Santa Clarita 91350 (661) 287-7018. Mr. Gibson will assist with the filing of the appropriate application, associated review fee and documents required within the application work plan. Please check our website for guidance and applications and associated fees:
www.lapublichealth.org/eh/EP/lu/lu_main.htm
16. Where the projects waste water loading is 10,000 GPM/Day or more, a Wastewater Discharge Requirement permit (WDR) from the Los Angeles Regional Water Quality Control Board (LARWQCB) will be required and shall be submitted for our Program's review. The LARWQCB can be contacted at (213) 576-6600. Submit an engineer's report to the Land Use Program that details the increased wastewater loads from the project users to the site determined at maximum visitor, guest, employee and contractor capacities.
17. If there is public sewerage is available within 200 feet of the project, there shall be connections made to such utility.
18. Where no modifications are to be made to the existing septic system, an application containing the evaluation of the current system by a qualified contractor is required. Although not exhaustive, the evaluation will include:

The evaluation of an existing system must include whether the existing system was properly installed, is currently functional, and structurally in good repair. The report shall include a plot plan that clearly identifies and illustrates the entire OWTS to include the tank size and related details of the dispersal system. The qualified contractor shall submit to the Department a signed report attesting to such capability for the existing OWTS. The inspection report of the current system required in shall include:

- i. Verification that all components were installed/constructed in an acceptable manner (i.e., setbacks are met) and all components are intact and in good repair.*
- ii. Verification of the structural integrity of the entire system, to include tank, baffles, plumbing lines, distribution box, diverter valves, and any other related component.*
- iii. The report shall attest to the current condition of the dispersal system. For example, the extent which the perforated pipes for leach lines and the gravel below are clogged; the presence of organic build up in the seepage pit; the observed level of standing wastewater in seepage pit and if the wall of the seepage pit is stained due to constant contact with wastewater that may have happened in the past, etc.*

Prepared by:
Vincent Gallegos, REHS
Environmental Health Specialist IV

19. For new system installation and existing system evaluations, submit project review applications to Chris Gibson at 26415 Carl Boyer Dr. Santa Clarita 91350 (661) 287-7018. Mr. Gibson will assist with the filing of the appropriate application, associated review fee and documents required within the application work plan. Please check our website for guidance and applications and associated fees: www.lapublichealth.org/eh/EP/lu/lu_main.htm

Food Facilities

20. Where food facilities and alcohol are proposed submit plans to the Food Plan Check Program.

For further details Contact Denise Noborio at (626) 430-5418

Pool Facilities

21. Where pool facilities are proposed submit plans to the Recreational Waters Program. Please see our link for the New Pool Plan Check Approval Requirements at http://www.publichealth.lacounty.gov/eh/docs/ep_re_planreq.pdf

For further details contact Nick Brakband at (626) 430-5360

Noise

22. Noise: The applicant shall abide by the requirements contained in Title 12, Section 12.08, Noise Control Ordinance for the County of Los Angeles (reference available at municode.com). A traffic noise study will be required. The sections in Title 12 that apply to this project may be subject to change during the initial CUP process.

- Operational use: **Section 12.08.390. Exterior Noise standards.** This standard would apply to on-site equipment such as mechanical equipment or operational sound, amplified sound, wedding/temporary events. Please find specific noise restrictions in part 4 of Title 12. The following exterior noise levels shall apply to all receptor properties within a designated noise zone

COMMUNITY NOISE CRITERIA (12.08.390)

*Prepared by:
Vincent Gallegos, REHS
Environmental Health Specialist IV*

Noise Zone	Land Use of Receptor Property	Time	Level (dBA)				
			Std 1	Std 2	Std 3	Std 4	Std 5
			L50 30 min/hr	L25 15 min/hr	L8.3 5 min/hr	L1.7 1 min/hr	L0 At any time
I	Noise Sensitive	Anytime	45	50	55	60	65
II	Residential	10PM to 7AM	45	50	55	60	65
		7 AM to 10 PM	50	55	60	65	70

Exterior Noise Standards, Chapter 12.08, Part 3, Section 12.08.390.

- *Los Angeles County Noise Standard No. 1, L₅₀: Noise levels which may not be exceeded for a cumulative period of more than 30 minutes in any hour. If the ambient L₅₀ exceeds the levels listed above, then the ambient L₅₀ becomes the exterior noise level for Standard No. 1.*
- *Los Angeles County Noise Standard No. 2, L₂₅: Noise levels which may not be exceeded for a cumulative period of more than 15 minutes in any hour. If the ambient L₂₅ exceeds the levels listed above, then the ambient L₂₅ becomes the exterior noise level for Standard No. 2.*
- *Los Angeles County Noise Standard No. 3, L_{8.3}: Noise levels which may not be exceeded for a cumulative period of more than 5 minutes in any hour. If the ambient L_{8.3} exceeds the levels listed above, then the ambient L_{8.3} becomes the exterior noise level for Standard No. 3.*
- *Los Angeles County Noise Standard No. 4, L_{1.7}: Noise levels which may not be exceeded for a cumulative period of more than 1 minute in any hour. If the ambient L_{1.7} exceeds the levels listed above, then the ambient L_{1.7} becomes the exterior noise level for Standard No. 4.*
- *Los Angeles County Noise Standard No. 5, L₀: Noise levels which may not be exceeded for any period of time. If the ambient L₀ exceeds the levels listed above, then the ambient L₀ becomes the exterior noise level for Standard No. 5.*

C. If the measurement location is on a boundary property between two different zones, the exterior noise level utilized in subsection B of this section to determine the exterior standard shall be the arithmetic mean of the exterior noise levels in subsection A of the subject zones. Except as provided for above in this subsection C, when an intruding noise source originates on an industrial property and is impacting another noise zone, the applicable exterior noise level as designated in subsection A shall be the daytime exterior noise level for the subject receptor property.

D. The ambient noise histogram shall be measured at the same location along the

Prepared by:
Vincent Gallegos, REHS
Environmental Health Specialist IV

property line utilized in subsection B of this section, with the alleged intruding noise source inoperative. If for any reason the alleged intruding noise source cannot be turned off, the ambient noise histogram will be estimated by performing a measurement in the same general area of the alleged intruding noise source but at sufficient distance such that the noise from the alleged intruding noise source is at least 10dB below the ambient noise histogram in order that only the actual ambient noise histogram be measured. If the difference between the ambient noise histogram and the alleged intruding noise source is 5 to 10dB, then the level of the ambient noise histogram itself can be reasonably determined by subtracting a one-decibel correction to account for the contribution of the alleged intruding noise source.

E. In the event the intrusive exceeds the exterior noise standards as set forth in subsections B and C of this section at a specific receptor property and the health officer has reason to believe that this violation at said specific receptor property was unanticipated and due to abnormal atmospheric conditions, the health officer shall issue an abatement notice in lieu of a citation. If the specific violation is abated, no citation shall be issued therefor. If, however, the specific violation is not abated, the health officer may issue a citation. (Ord. 11778 § 2 (Art. 4 § 403), 1978: Ord. 11773 § 2 (Art. 4 § 403), 1978.)

- Adjustments to the noise standard are made if a pure tone or impulsive noise is present (section 12.08.410).

Note: Ensure that best management practices and design (i.e. noise attenuation features, proper shielding, placement, engineering controls, etc.) are followed to minimize noise disturbance to comply with the noise ordinance. A traffic noise study will be required.

- **Section 12.08.460.** Loading and Unloading operations. Loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials, garbage cans or similar objects between the hours of 10:00 pm to 6:00 am in such a manner as to cause noise disturbance is prohibited.
- **Section 12.08.520. Refuse collection vehicles.** (refer to the ordinance available at municode.com)
- **Section 12.08.440. Construction noise.** A. Operating or causing the operation of any tools or equipment used in construction, drilling, repair, alteration or demolition work between weekday hours of 7:00 p.m. and 7:00 a.m., or at any time on Sundays or holidays, such that the sound therefrom creates a noise disturbance across a residential or commercial real-property line is prohibited, except for emergency work of public service utilities or by variance issued by the health officer.

Section 12.08.440 B: The contractor shall conduct construction activities in such a manner that the maximum noise levels are not exceeded (refer to listed noise levels

12.08.440 B). Noise Restrictions at Affected Structures. The contractor shall conduct construction activities in such a manner that the maximum noise levels at the affected buildings will not exceed those listed in the following schedule:

- At Residential Structures: Mobile Equipment. Maximum noise levels from non-scheduled, intermittent, and short-term operation (less than 10 days) of mobile equipment:

	Single-family Residential (dBA)	Multi-family Residential (dBA)
Daily, except Sundays and legal holidays, 7:00 a.m. to 8:00 p.m.	75	80
Daily, 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays.	60	65

- *Stationary Equipment Maximum noise level for repetitively scheduled and relatively long-term operation (period of 10 days or more) of stationary equipment:*

	Single-family Residential (dBA)	Multi-family Residential (dBA)
Daily, except Sundays and legal holidays, 7:00 a.m. to 8:00 p.m.	60	65
Daily, 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays.	50	55

- **Section 12.08.440 C:** All mobile or stationary internal-combustion-engine powered equipment or machinery shall be equipped with suitable exhaust and air-intake silencers in proper working order. Apply best management practices and notify neighbors of construction activities. If a noise study is recommended, it would include an analysis on noise from construction and mitigation measures if needed. The determination to recommend a noise study is made on a case by case basis during the conditional use permit review.
- **Section 12.08.460.** Loading and Unloading operations. Loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials, garbage cans or similar objects between the hours of 10:00 pm to 6:00 am in such a manner as to cause noise disturbance is prohibited.

Prepared by:
 Vincent Gallegos, REHS
 Environmental Health Specialist IV

- **Section 12.08.520. Refuse collection vehicles.** (refer to the ordinance available at municode.com)
- **Section 12.08.530: Residential air-conditioning.** Operating or permitting the operation of any air-conditioning or refrigeration equipment in such a manner as to exceed any of the following sound levels is prohibited.

Measurement Location	Units Installed on or after 1-1-80 dBA
<ul style="list-style-type: none"> • Any point on neighboring property line, 5 feet above grade level, no closer than 3 feet from any wall. 	55
<ul style="list-style-type: none"> • Center of neighboring patio, 5 feet above grade level, no closer than 3 feet from any wall. 	50
<ul style="list-style-type: none"> • Outside the neighboring living area window nearest the equipment location, not more than 3 feet from the window opening, but at least 3 feet from any other surface. 	50

Adhere to Universal Building and Safety codes pertaining to interior noise insulation requirements (CNEL 45 dBA). Consult with Building & Safety.

AIR QUALITY

- During grading or excavation activities if applicable, apply dust control measures per AQMD rule 403 to minimize fugitive dust. Fugitive dust can result in worker and public exposure to fungal spores such as *Coccidioides immitis*, which can cause Coccidioidomycosis (Valley Fever). Adhere to applicable air quality AVAQMD regulations.

For any questions regarding the noise and air quality section, please contact Evenor Masis or Robert Vasquez of the Toxicology and Environmental Assessment Program at (213) 738-3220 or at emasis@ph.lacounty.gov and rvasquez@ph.lacounty.gov.

For any questions regarding the report, please contact Vincent Gallegos of the Land Use Program at vgallegos@ph.lacounty.gov

*Prepared by:
Vincent Gallegos, REHS
Environmental Health Specialist IV*



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:

P.O. BOX 1460

IN REPLY PLEASE

REFER TO FILE:

August 14, 2019

TO: Samuel Dea
Zoning Permits North Section
Department of Regional Planning

Attention Richard Claghorn

FROM: Art Vander Vis
Land Development Division
Department of Public Works

RCUP-201200163 (CUP)
ASSESSOR'S MAP BOOK 3212, PAGE 7, PARCELS 25-28
ASSESSOR'S MAP BOOK 3212, PAGE 8, PARCEL 54
UNINCORPORATED COUNTY COMMUNITY OF AGUA DULCE

Thank you for the opportunity to review the zoning permit application and site plan for the subject project. The project is a proposed retreat and events center which will include an outdoor dance pavilion, live entertainment, concerts, weddings, corporate retreat events, spa with massage services, winery with wine tasting and sales, 61 guest cabins, five proposed "guest units", and a caretaker mobile home.

- ☐ Public Works recommends that the conditions shown below be applied to the project if ultimately approved by the advisory agency.
- ☒ Public Works has comments on the submitted documents; therefore, a Public Hearing shall **NOT** be scheduled until the comments have been addressed.

Additional information needs to be addressed, submitted, or shown on the site plan. Refer to the additional comments on the site plan that may be used for clarification of the following comments.

A. Street

1. Show, label, and dimension the following on sheet C-1 and C-2 of the site plan:

- a. The existing driveways as dashed lines and any proposed driveway as solid lines.
 - b. Clearly identify the limits of the slope easement, private easements, restricted use areas, flood hazard areas, and geological hazard areas on the site plan.
 - c. The record street centerline (2-CSB-1312-1) on Agua Dulce Canyon Road.
 - d. The existing street right of way width along Agua Dulce Canyon Road (50' from the centerline) as solid lines.
 - e. All existing and proposed street improvements, including concrete curbs, curb ramps, sidewalks, driveways, utility poles, catch basins, fences, etc., on both sides of Agua Dulce Canyon Road at least 50 feet beyond the proposed improvements. All existing improvements should be shown as dashed lines and all proposed improvements should be shown as solid lines. All existing improvements that are intended to be removed or reconstructed should be labeled as such.
2. Provide clear line of stopping sight distance, both horizontal and vertical, commensurate with 65 mph (660 feet) from the driveways on Agua Dulce Canyon Road in both directions. Address line of sight issues due to vertical walls and grading near the driveways.
 3. Relocate all structures and obstructions (such as walls, fences, fountains, etc.) to outside of the street right of way on Agua Dulce Canyon Road.

For questions regarding the street comments, please contact Sam Richards of Public Works, Land Development Division at (626) 458-4921 or srich@pw.lacounty.gov.

B. Traffic

1. Submit a Traffic Access Management Study through EPIC-LA under "Engineering Studies: Traffic Access Management" to Public Works for review and approval.
2. Submit a Trip Generation Study as part of the Traffic Access Management Study to Public Works to determine if a Transportation Impact Analysis is required.

For questions regarding the traffic comments, please contact Kent Tsujii of Public Works, Traffic Safety and Mobility Division at (626) 300-4776 or ktsujii@pw.lacounty.gov.

C. Drainage

1. Submit a hydrology report through EPIC-LA under "Engineering Studies: Hydrology Study" to Public Works for review and approval.
2. Submit a Low Impact Development Plan (LID) as part of the hydrology report. Comply with LID standards in accordance with the LID standards manual which is available at <https://pw.lacounty.gov/idd/lib/fp/Hydrology/Low%20Impact%20Development%20Standards%20Manual.pdf>.
3. If an infiltration rate is required for the design of flood control facilities or compliance with LID standards, an infiltration test must be done per GS200.2 and approved by Public Works, Geotechnical and Materials Engineering Division prior to final approval of any hydrology or LID reports.

For questions regarding the drainage comments, please contact Alex Mikhailpoor of Public Works, Land Development Division at (626) 458-4921 or amikhailpoor@pw.lacounty.gov.

D. Geotechnical and Soils

1. Submit a geotechnical report through EPIC-LA under "Engineering Studies: Geotechnical Study" to Public Works that addresses issues such as, but not limited to, the potential for liquefaction, slope stability, and settlement. The report must discuss and provide recommendations for all mitigation measures required from a geotechnical standpoint as necessary.

For questions regarding the geotechnical comments, please contact George Molina of Public Works, Geotechnical and Materials Engineering Division at (626) 458-7140 or gmolina@pw.lacounty.gov.

ADDRESS ALL ABOVE COMMENTS PRIOR TO PUBLIC WORKS APPROVAL OF THE SITE PLAN AND ISSUANCE OF CLEARANCE FOR PUBLIC HEARING. THE FOLLOWING ARE PRELIMINARY CONDITIONS.

1. Street

- 1.1 Prior to issuance of a grading or building permit, submit street improvement plans to Public Works through the EPIC-LA portal under "Public Improvement Plans: Street Plans" for review and approval of the following improvements:

- 1.1.1 Comply with the approved traffic access management study and transportation impact analysis.

Be advised that we currently have no known County road construction projects within the limits of your project. Should a County project be scheduled and constructed ahead of the applicant's development, a pavement moratorium may be imposed that would restrict any pavement work for two years. Exceptions could be made if acceptable rehabilitation measures are provided. The applicant is encouraged to monitor <http://pw.lacounty.gov/gmed/lacroads/Find.aspx> periodically to determine if any future County projects have been scheduled or to determine whether a pavement moratorium currently exists along streets fronting the project location.

- 1.2 Prior to issuance of a certificate of occupancy, dedicate and continuously maintain line of sight easements commensurate with 65 mph (660 feet) from the driveways on Agua Dulce Canyon Road in both directions. For questions regarding the dedication process, contact Alan Chan of Public Works, Land Development Division at (626) 458-4921 or achan@dpw.lacounty.gov.

For questions regarding the street conditions, please contact Sam Richards of Public Works, Land Development Division at (626) 458-4921 or srich@pw.lacounty.gov.

2. Geotechnical

- 2.1. Prior to issuance of a grading or building permit, comply with the approved geology and geotechnical study.

For questions regarding the geotechnical condition, please contact George Molina of Public Works, Geotechnical and Materials Engineering Division at (626) 458-7140 or gmolina@pw.lacounty.gov.

3. Drainage

- 3.1. Prior to issuance of a grading or building permit, comply with the approved hydrology study and low impact development plan.

For questions regarding the drainage conditions, please contact Alex Mikhailpoor of Public Works, Land Development Division at (626) 458-4921 or amikhailpoor@pw.lacounty.gov.

If you have any other questions or require additional information, please contact Toan Duong of Public Works, Land Development Division at (626) 458-4921 or tduong@pw.lacounty.gov.

JDC:

P:\ldpub\SUBPCHECK\Plan Checking Files\CUP\RCUP-201200163 - 0 VAC-PVT DRWY-VIC AGUA DULCE CY Street\RCUP-201200163\DPW_Not Cleared_2019-08-14_RCUP-201200163.docx

emails from 10/15/20 and earlier

Re: Fw: Time Extension of due date for CUP 201200163

Steve Kaplan <sk.landuselaw@gmail.com>

Thu 10/15/2020 2:47 PM

To: Richard Claghorn <rclaghorn@planning.lacounty.gov>

CAUTION: External Email. Proceed Responsibly.

OK - thanks Richard

STEVE KAPLAN

Attorney

16133 Ventura Boulevard, Suite 700

Encino, CA 91436

Office: 818.377.7440

Cell: 818.321.9575

Facsimile: 818.377.7401

E-Mail: sk.landuselaw@gmail.comOn Thu, Oct 15, 2020 at 2:20 PM Richard Claghorn <rclaghorn@planning.lacounty.gov> wrote:

Hello Mr. Kaplan,

Please see below for my email to Shaul Yakovi regarding the time extension to Nov. 12. Please note that after today I will be on vacation and will return on Oct. 26. If you need to reach us during that time, you may contact Samuel Dea, my supervisor, at sdea@planning.lacounty.gov, or Tracy Swann. Thanks.

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning

We Appreciate Your Feedback!

Please take a moment and fill out our EPIC-LA customer experience survey by clicking on the link below:

<https://bit.ly/LACoCSSSurvey>

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov

From: Richard Claghorn**Sent:** Thursday, October 8, 2020 10:12 AM**To:** shaul yakovi <shaul92@gmail.com>**Cc:** karnier@gmail.com <karnier@gmail.com>; Samuel Dea <sdea@planning.lacounty.gov>; Kerstin Schlegel <kschlegel@planning.lacounty.gov>; Toan Duong <TDUONG@dpw.lacounty.gov>; Shayne Lamont <SLamont@ph.lacounty.gov>; Youman, Joseph <Joseph.Youman@fire.lacounty.gov>**Subject:** Time Extension of due date for CUP 201200163

Shaul,

We are granting your request for a time extension until **November 12, 2020**. However, we cannot process a CUP with active violations. As explained previously, including in my email to you dated October 1, 2020, which is copied below, you are not authorized to hold events at this location until after you receive approval of the CUP application. Therefore, you must cease holding any events until you obtain an approved CUP. Plot Plan RPP200900080 is not effective for continued operation of the event center.

You have now stated that you want to revise your CUP application to reduce the scope of your project. You must submit the following by November 12, 2020:

1. Submit to Regional Planning a revised site plan by November 12, 2020. The revised site plan should show only the existing structures.
2. Submit to Regional Planning a revised project description by November 12, 2020.
3. Submit to the Department of Public Health the required information for Drinking Water and Onsite Wastewater Treatment System as explained in the attached DPH letter.

We reiterate that this or any extension does not authorize you to continue holding events, and is only to keep your CUP application active. Thank you.

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning

We Appreciate Your Feedback!

Please take a moment and fill out our EPIC-LA customer experience survey by clicking on the link below:

<https://bit.ly/LACoCSSSurvey>

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov

From: Richard Claghorn <rclaghorn@planning.lacounty.gov>

Sent: Thursday, October 1, 2020 1:56 PM

To: shaul yakovi <shaul92@gmail.com>

Cc: karnier@gmail.com <karnier@gmail.com>; Samuel Dea <sdea@planning.lacounty.gov>; Kerstin Schlegel <kschlegel@planning.lacounty.gov>; Toan Duong <TDUONG@dpw.lacounty.gov>; Shayne Lamont <SLamont@ph.lacounty.gov>; Youman, Joseph <Joseph.Youman@fire.lacounty.gov>

Subject: Gardens of Paradise CUP

Good afternoon Shaul,

Please read the attached letter dated 9/9/20 regarding your project, and the related attachments. The letter and the attached letters from other County departments are based on the current project scope. As we've discussed, it is recommended that the project be downsized to focus on legalizing the existing unpermitted structures and establishing the event venue use through the CUP. Revised plans and application materials are needed to show the revised scope of the project. We can send the project to the other departments for interdepartmental County review if we receive the revised submittal materials. If we don't receive an adequate response by

the deadline of October 13, 2020 we may begin the process of scheduling the CUP application for a public hearing for denial due to inactivity.

In addition, I've attached a letter from 2012 which explains background on the zone change that occurred in 2012 and how it affects your property. As explained on page 3 of the letter, the site plan approval for outdoor dance pavilion would only be valid for a period of 5 years after the date the zone change became effective. This means that after 12/27/17 the use would have to terminate, unless the CUP was approved by then, assuming the use had been legally established. Since the CUP is still not approved, you may not hold events at the site.

At this time, any gatherings/events not specifically allowed in the [Health Officer Order 9.4.20](#), such as places of worship services, therapeutic behavioral health groups, small cohorts at schools/day care, etc., are prohibited.

Because of this order, gatherings and events not allowed in the order are prohibited, so even if the CUP had been approved the order related to the current pandemic would prohibit gatherings at the location until such time the order is lifted.

Let me know if you have any other questions about it. Thank you.

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning

We Appreciate Your Feedback:

Please take a moment and fill out our customer experience survey for online applications [\[bit.ly/LACoCSSSurvey\]](https://bit.ly/LACoCSSSurvey).

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov

From: Richard Claghorn
Sent: Wednesday, September 9, 2020 4:36 PM
To: shaul92@gmail.com <shaul92@gmail.com>; karnier@gmail.com <karnier@gmail.com>
Subject: Gardens of Paradise CUP

Hello Shaul and Erez,

Please read the attached correction letter regarding your case, along with the other attached letters and documents. Let me know if you have any questions. Thanks.

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning

We Appreciate Your Feedback:

Please take a moment and fill out our customer experience survey for online applications [\[bit.ly/LACoCSSSurvey\]](https://bit.ly/LACoCSSSurvey).

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov

Re: 32222 Auga Dulce Canyon Road

Richard Claghorn <rclaghorn@planning.lacounty.gov>

Thu 11/19/2020 3:25 PM

To: Steve Kaplan <sk.landuselaw@gmail.com>; shaul92@gmail.com <shaul92@gmail.com>

 3 attachments (6 MB)

Topo Map-markup.pdf; aerial photo 2017.pdf; aerial photo 2017-Parcel 54.pdf;

Hi Steve,

Thank you for the information you provided on Nov. 12, 2020. Unfortunately, we have still not received all of the requested information. Please provide an updated project description as soon as possible. Also, there are some issues with the revised site plan, as follows:

1. Northeast of the pavilion the kitchen and storage buildings were removed from the plan, but the labels for those structures are still on the plan. They should be deleted.
2. The site plan shows a 400 sf restroom structure north of the pavilion. Is this an existing or proposed structure? This structure doesn't appear in a 2017 aerial photo.
3. The site plan shows a restaurant building on the south parcel. There is no restaurant there currently, so it should not be depicted as a restaurant. It was a snack bar/restaurant in the past, but has not been one for many years, and re-establishing a restaurant here will make the approval process more difficult. It should be labeled as a storage structure, which appears to be its current function.
4. The site plan shows a snack bar on the south parcel south of the pool. This is not an existing use and should be deleted from the site plan.
5. The site plan shows a laundry structure on the south parcel. Based on a site visit in 2018 it was a storage structure. The size and shape of the structure on the site plan don't appear accurate based on the attached aerial photo (Parcel 54).
6. The site plan shows a parking area on the west side of parcels 27 and 28. Aerial photos show an unpaved parking area in the same general area, but it is much smaller in size than depicted on the site plan. Based on the attached topo map, portions of this parking area are very steep (20%+ slope) and would not be suitable for parking. The site plan should only depict parking areas that are relatively flat and have been used for parking before, and not any areas that would require vegetation clearance or grading.

Let me know how much time is needed in order to provide this information. Also, please be aware that we can't process the CUP where there is an ongoing Zoning Violation. Events must cease on the site before we can continue processing the CUP. Thank you.

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning

We Appreciate Your Feedback!

Please take a moment and fill out our EPIC-LA customer experience survey by clicking on the link below:

[https://bit.ly/LACoCSSurvey](https://bit.ly/LACoCSSSurvey)

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov

From: Steve Kaplan <sk.landuselaw@gmail.com>
Sent: Thursday, November 19, 2020 1:50 PM
To: Richard Claghorn <rclaghorn@planning.lacounty.gov>
Subject: Re: 32222 Auga Dulce Canyon Road

CAUTION: External Email. Proceed Responsibly.

Richard,

Once again, and before your work week ends, I hope you will give me a call at 818-321-9575 to discuss the CUP processing of the above captioned site.

Thank you.

STEVE KAPLAN
Attorney
16133 Ventura Boulevard, Suite 700
Encino, CA 91436
Office: 818.377.7440
Cell: 818.321.9575
Facsimile: 818.377.7401
E-Mail: sk.landuselaw@gmail.com

On Tue, Nov 17, 2020 at 2:44 PM Steve Kaplan <sk.landuselaw@gmail.com> wrote:
Helo Richard,

I would most appreciate a call from you to my cell phone at 818-321-9575 to discuss Shaul's case...thank you.

STEVE KAPLAN
Attorney
16133 Ventura Boulevard, Suite 700
Encino, CA 91436
Office: 818.377.7440
Cell: 818.321.9575
Facsimile: 818.377.7401
E-Mail: sk.landuselaw@gmail.com

On Thu, Nov 12, 2020 at 5:05 PM Steve Kaplan <sk.landuselaw@gmail.com> wrote:
Good afternoon Richard,

Please find attached my letter and additional documentation with respect to the above captioned property site and pending CUP application.

I will follow up tomorrow with additional material.

Thank you.

STEVE KAPLAN

Attorney

16133 Ventura Boulevard, Suite 700

Encino, CA 91436

Office: 818.377.7440

Cell: 818.321.9575

Facsimile: 818.377.7401

E-Mail: sk.landuselaw@gmail.com

Re: 32222 Agua Dulce Canyon Rd.

Richard Claghorn <rclaghorn@planning.lacounty.gov>

Thu 2/11/2021 11:01 AM

To: shaul92@gmail.com <shaul92@gmail.com>; karnier@gmail.com <karnier@gmail.com>

Cc: Steve Kaplan <sk.landuselaw@gmail.com>; Kerstin Schlegel <kschlegel@planning.lacounty.gov>; Samuel Dea <sdea@planning.lacounty.gov>; Tracy Swann <tswann@counsel.lacounty.gov>

Good morning Shaul,

This is a follow-up to the email I sent to you on February 4. We would like to schedule a meeting with you and the County Departments involved in reviewing your CUP application in order to help resolve issues and answer questions about how to move forward in the CUP process. The meeting would be held virtually in accordance with COVID-19 safety measures. Normally, we charge One-Stop fees for interdepartmental meetings to discuss project requirements. However, we can waive the fees for this meeting for you to help resolve the issues of your pending CUP application.

Before we can schedule such a meeting, we must have received a revised project description and site plan. As stated in prior emails, the site plan submitted on 12/28/20 should be revised to remove the restaurant shown on the south parcel. This existing structure may be used as storage or other accessory use. The project description should not include the restaurant. It should be consistent with the site plan and focus on legalizing existing structures and the event center use rather than adding new uses. This will help to simplify the CUP process. **Please provide the updated site plan and project description by February 18.** If you need additional time, please let me know beforehand so we may grant more time if it is needed.

After we receive the information, we will schedule an interdepartmental meeting. Please do not hold any more events on the site until the CUP is approved. Let me know if you have any questions or need additional time. Thanks.

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning

We Appreciate Your Feedback!

Please take a moment and fill out our EPIC-LA customer experience survey by clicking on the link below:

<https://bit.ly/LACoCSSSurvey>

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov

From: Richard Claghorn

Sent: Thursday, February 4, 2021 4:29 PM

To: shaul92@gmail.com <shaul92@gmail.com>; karnier@gmail.com <karnier@gmail.com>

Cc: Steve Kaplan <sk.landuselaw@gmail.com>; Kerstin Schlegel <kschlegel@planning.lacounty.gov>; Samuel Dea <sdea@planning.lacounty.gov>; Tracy Swann <tswann@counsel.lacounty.gov>

Subject: 32222 Agua Dulce Canyon Rd.

Good afternoon,

As we have informed you on prior occasions, we cannot process a CUP with active violations. As explained previously, you are not authorized to hold events at this location until after you receive approval of the CUP application. Therefore, you must cease holding any events until you obtain an approved CUP. Plot Plan RPP200900080 is not effective for continued operation of the event center.

On October 8, 2020, I requested the following information by November 12, 2020:

1. Submit to Regional Planning a revised site plan by November 12, 2020. The revised site plan should show only the existing structures.
2. Submit to Regional Planning a revised project description by November 12, 2020.
3. Submit to the Department of Public Health the required information for Drinking Water and Onsite Wastewater Treatment System as explained in the attached DPH letter.

I received a revised site plan on November 12, 2020. On November 19, 2020 I requested that changes be made to the site plan, including the following comment:

"The site plan shows a restaurant building on the south parcel. There is no restaurant there currently, so it should not be depicted as a restaurant. It was a snack bar/restaurant in the past, but has not been one for many years, and re-establishing a restaurant here will make the approval process more difficult. It should be labeled as a storage structure, which appears to be its current function."

A revised site plan was submitted on December 28, 2020, but it still shows the restaurant that I had asked to be removed. Please remove the restaurant from the site plan. Also, we still have not received the revised project description requested previously to reflect the modified scope of the project. Please provide this information by February 18, 2021 if you wish to continue the CUP permitting process.

Also, there does not appear to have been any progress toward addressing the Drinking Water and Onsite Wastewater Treatment System requirements of DPH. Please provide evidence that you have hired a consultant to prepare the necessary reports and other information for DPH to review the project.

We reiterate that you are not authorized to continue holding events and must cease holding events in order for us to continue processing the CUP. Thank you.

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning

We Appreciate Your Feedback!

Please take a moment and fill out our EPIC-LA customer experience survey by clicking on the link below:

<https://bit.ly/LACoCSSSurvey>

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov

Gardens of Paradise

Richard Claghorn <rclaghorn@planning.lacounty.gov>

Wed 2/24/2021 1:33 PM

To: Steve Kaplan <sk.landuselaw@gmail.com>

Cc: shaul92@gmail.com <shaul92@gmail.com>; Kerstin Schlegel <kschlegel@planning.lacounty.gov>; Oscar Gomez <ogomez@planning.lacounty.gov>; Samuel Dea <sdea@planning.lacounty.gov>; Tracy Swann <tswann@counsel.lacounty.gov>; karnier@gmail.com <karnier@gmail.com>

 2 attachments (646 KB)

PLOT PLAN Feb 2021-edits.pdf; Project Gardens of Paradise Description_edits.docx;

Good afternoon Steve,

Thank you for providing the revised site plans and project description. Further changes are still needed. There should only be one site plan, and it needs to only include the existing facilities. It must be consistent with the project description. The project description also needs to only include the existing facilities. It should not include background information. You may include that information in a separate document. Please see the attached copy of the project description for additional comments and recommended editorial changes, as well as the attached site plan with notes showing the needed changes. Let me know if you have any questions. Please provide the revisions by March 11. We can't schedule an interdepartmental meeting until we have the revised project description and site plan. This meeting should be to address the issues related to the CUP and should not be used to discuss pending litigation or enforcement issues. Before we schedule the meeting we also need to verify that events being held at the site have ceased and an agreement to not conduct further events until the CUP has been approved and finalized. Thanks.

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning

We Appreciate Your Feedback!

Please take a moment and fill out our EPIC-LA customer experience survey by clicking on the link below:

<https://bit.ly/LACoCSSSurvey>

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning

We Appreciate Your Feedback!

Please take a moment and fill out our EPIC-LA customer experience survey by clicking on the link below:

<https://bit.ly/LACoCSSSurvey>

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director

Dennis Slavin
Chief Deputy Director

March 18, 2021

Mr. Shaul Yakovi
32222 Agua Dulce Canyon Rd.
Agua Dulce, CA 91390

Dear Mr. Yakovi:

PUBLIC MEETING NOTICE: DENIAL DUE TO INACTIVITY
PROJECT NO. R2012-02971
CONDITIONAL USE PERMIT NO. 201200163
32222 AGUA DULCE CANYON RD. (APN 3212-007-025, 3212-007-026, 3212-007-027, 3212-007-028, and 3212-008-054)

The Los Angeles County (County) Department of Regional Planning (Department) has made repeated attempts to inform you of the information that is required to proceed with your application for a Conditional Use Permit (CUP) to authorize a special event facility, caretaker's residence, and related facilities at the above-referenced location. The correspondence dated September 9, 2020 requesting project revisions and additional information is attached for your review. Additionally, staff has sent many letters requesting required information beginning on June 13, 2013. To date, we have not received the requested information and as a result, we are unable to proceed with processing your application.

Section 22.222.100 of the County Code (Zoning Ordinance) provides that the Hearing Officer may deny, without public hearing, an application for a CUP if such application does not contain the required information contained in Sections 22.222.070 and 22.222.090. Due to the longstanding inactive status of the project identified above, the project **will be scheduled for denial** before a County Hearing Officer on **April 20, 2021**.

If you wish to keep this project active, please send a written request to the Department, Zoning Permits North, Room 1348, 320 West Temple Street, Los Angeles, CA 90012, Attention: Richard Claghorn or rclaghorn@planning.lacounty.gov. This correspondence must be received **on or before April 18, 2021** in order to avoid being scheduled for denial.

For questions or for additional information, please contact Richard Claghorn of the Zoning Permits North Section at (213) 974-6443, or rclaghorn@planning.lacounty.gov.

Mr. Shaul Yakovi
March 18, 2021
Page 2

Sincerely,

Amy J. Bodek, AICP
Director

A handwritten signature in black ink, appearing to read "Samuel Dea".

Samuel Dea, Supervising Regional Planner
Zoning Permits North Section

SD:RC

Enclosures: Incomplete Letter 9-9-20

c: Steve Kaplan, Attorney, 16133 Ventura Blvd., Suite 700, Encino, CA 91390
cc (via email): sk.landuselaw@gmail.com; shaul92@gmail.com

Re: Gardens of Paradise-

Richard Claghorn <rclaghorn@planning.lacounty.gov>

Thu 3/18/2021 5:10 PM

To: Steve Kaplan <sk.landuselaw@gmail.com>

Cc: Samuel Dea <sdea@planning.lacounty.gov>; Tracy Swann <tswann@counsel.lacounty.gov>

Steve,

In my email to you on 2/24/21 I asked for a revised site plan and project description in order for us to schedule an interdepartmental meeting with a deadline of March 11. I also said that we would have to verify that events on the site had ceased and that the owner would have to agree not to conduct any more events until a CUP approval is obtained. Although a revised site plan was submitted, we still have not received a revised project description consistent with the site plan. The department has decided to schedule the case for denial due to inactivity. Please include my supervisor, Sam Dea (sdea@planning.lacounty.gov) and Tracy Swann from County Counsel (tswann@counsel.lacounty.gov) in any future emails to me. I am not able to discuss this project with you over the phone. Thank you.

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning

We Appreciate Your Feedback!

Please take a moment and fill out our EPIC-LA customer experience survey by clicking on the link below:

<https://bit.ly/LACoCSSSurvey>

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov

From: Steve Kaplan <sk.landuselaw@gmail.com>
Sent: Thursday, March 18, 2021 4:16 PM
To: Richard Claghorn <rclaghorn@planning.lacounty.gov>
Subject: Re: Gardens of Paradise-

CAUTION: External Email. Proceed Responsibly.

Richard,

What happened to your willingness to meet with us prior to taking the action evidenced by the intent to deny notice?

Very disappointing to say the least.

I would appreciate a call to my cell line at 818-321-9575 before the end of the day.

Thank you

Sent from my iPhone

On Mar 18, 2021, at 4:02 PM, Richard Claghorn <rclaghorn@planning.lacounty.gov> wrote:

Hello Steve,

This is to inform you that the Department of Regional Planning (DRP) is scheduling Project R2012-02971 for the Hearing Officer meeting on April 20, 2021 for denial due to inactivity. The information requested in the attached letter sent on September 9, 2020 and on other previous occasions was not provided by the deadline of October 13, 2020 nor since that time. Please read the attached notice for further details regarding the denial and the attached letter dated 9/9/20, which includes DRP's requirements for the project as of that date, as well as the letters from the other County Departments. Thanks.

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning

We Appreciate Your Feedback!

Please take a moment and fill out our EPIC-LA customer experience survey by clicking on the link below:
<https://bit.ly/LACoCSSSurvey>

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov

<R2012-02971_Notice_denial_inactivity.pdf>
<Correction_letter9-9-20_CUP201200163.pdf>

Project R2012-02971 (CUP 201200163) Timeline and Project Site History

1/19/1968- Plot Plan 16534 approved for 32222 Agua Dulce Canyon Rd. -Site plan shows an existing 25' x 56' house, 33' x 33' existing storage shed, a structure labeled "Prop", an existing lake, a parking area and access road. The area shown is currently APN 3212-008-054. The structure labeled Prop appears to be the building labeled restaurant on the 2015 site plan.

1/30/68- Plot Plan 16534 revised approval shows dimensions of 24' x 60' for prop structure and two small lakes west of it. It also shows a septic tank, well, and drain field.

2/13/68- Plot Plan 16534 revised approval; appears same as 1/30/68 approval.

7/2/68- Special Use Permit 1823 approved for a snack bar including the sale of beer (expires 7/2/1978)

7/5/68- Special Use Permit 1823 Exhibit A shows 24' x 60' building under construction (Prop building from PP 16534)

1/14/69- Plot Plan 16534 revised approval; two 20' x 40' swimming pools and a 14' x 30' pool were added south of the two small lakes; "Prop" structure is now labeled a dressing room, and two small equipment room structures were added near the pools. A parking area with 35 spaces was added north of dressing room.

6/18/74 REA to SP 1823 / PP 16534 approved. An addition was approved to the snack bar structure. The snack bar structure is the structure shown as a restaurant on the 2015 plan. The addition width ranged from 17.5' to 21', with a length of 71'-3".

10/27/76 CUP 804/VAR 385 approved to expand an existing RV mobile home park, including various other recreational and appurtenant facilities, and to be relieved of certain development standards. Expired 10/27/1996.

1/22/2009- RPP 200900080 (Project R2009-00106) submitted to DRP for outdoor dance pavilion and associated accessory structures; project includes APN 3212-007-025, 3212-007-026, 3212-007-027, 3212-007-028, 3212-008-051, 3212-008-052, 3212-008-054, and 3212-004-012

8/26/09 letter from County Counsel to Ronit Waizgen regarding County Code violations

8/24/10- RPP 200900080 (Project R2009-00106) approved by DRP for outdoor dance pavilion and associated accessory structures

10/16/12- one year time extension for RPP 200900080 (Project R2009-00106) approved by DRP; new expiration date 8/24/13

11/8/12- meeting with applicant, applicant's attorney, DRP, and County Counsel to discuss the imminent zone change from R-R-1 (Resort and Recreation, One-Acre Minimum Required Lot Area) to A-1-2 (Light Agricultural, Two-Acre Minimum Required Lot Area) and inclusion of the property within a Significant Ecological Area (SEA)

11/15/12 - Letter from Director of DRP to applicant's attorney summarizing the meeting which took place on 11/8/12; it encourages the applicant to file a CUP prior to the effective date of the zone change in order to continue the outdoor dance pavilion use after the 5-year amortization period ends; it says

that if the CUP is filed prior to the zone change, it will be processed in accordance with current zoning standards (R-R-1 Zone and no SEA) at the time of filing.

12/19/12- Project R2012-02971 (CUP 201200163) filed at DRP; project includes APN 3212-007-025, 3212-007-026, 3212-007-027, 3212-007-028, 3212-008-051, 3212-008-052, 3212-008-054, and 3212-004-012

12/27/12- Effective date of new Santa Clarita Valley Area Plan, including zone change, new area plan land use category, and SEA designation of the project site

2/19/13-amendment to RPP 200900080 (Project R2009-00106) approved by DRP for entrance signs

5/23/13 - Project R2012-02971 (CUP 201200163) is assigned to Richard Claghorn

6/13/13- letter sent from DRP to applicant detailing correction items for Project R2012-02971 (CUP 201200163)

1/29/14 -applicant requests to reschedule appointment to 2/5/14

2/5/14-applicant requests to reschedule appointment; meeting date changed to 2/13/14

2/12/14- site visit by planner (Richard Claghorn), who is bit by two dogs on the project site

2/13/14-meeting scheduled is cancelled due to dog bite injuries

5/14/14-email sent by planner to request a meeting on 5/29/14 to discuss project

5/28/14-email from applicant to reschedule 5/29/14 meeting

5/29/14-new meeting scheduled for 6/19/14 (meeting was cancelled and never occurred)

5/12/15- letter sent from DRP to applicant detailing correction items for Project R2012-02971 (CUP 201200163) -due date 8/12/15

6/11/15-email to applicant regarding foreclosure of 3 parcels

7/8/15-meeting with applicant at DRP; revised plans submitted showing revisions to the project with the 5 remaining parcels only (APN 3212-007-025, 3212-007-026, 3212-007-027, 3212-007-028 and 3212-008-054)

7/15/15- letter sent from DRP to applicant detailing correction items for Project R2012-02971 (CUP 201200163) -due date 10/15/15

10/8/15-meeting at DRP with ZE staff, project planner, applicant

10/13/15- email to applicant extending due date to 1/18/16

1/11/16-email to applicant to schedule appointment on 1/21/16

1/21/16-email to applicant to reschedule appointment to 1/28/16 at request of applicant

1/28/16-email to applicant to reschedule appointment to 2/2/16 at request of applicant

2/2/16-applicant emailed copy of revised plans to DRP

3/23/16- letter sent from DRP to applicant detailing correction items for Project R2012-02971 (CUP 201200163) -due date 6/20/16

6/14/16-email to applicant extends due date to 7/20/16 for project; meeting set for 7/18/16

7/19/16-email to applicant reschedules meeting to 7/27/16 at request of applicant

7/26/16-email to applicant reschedules meeting to 8/3/16 at request of applicant

8/2/16-email to applicant reschedules meeting to 8/10/16 at request of applicant

8/10/16-meeting with applicant at DRP; applicant submitted revised plans; the revised plans addressed some of the items from the 3/23/16 letter; the 3/23/16 letter was updated with handwritten notes and emailed to applicant

5/24/17-applicant does not show up for scheduled appointment; planner sends applicant an email with updated notes on the 3/23/16 correction letter

11/21/17-planner sends applicant an email to schedule appointment; appointment set for 1/15/18

1/17/18- site visit by planners Richard Claghorn and Amir Bashar

1/25/18-meeting at DRP with project planner and applicants; applicants agree to pay CUP referral fees within next two weeks

2/27/18-email from applicant to DRP; applicant said he came to DRP to pay the fees, but project planner was absent (no meeting was scheduled or advance notice given that he would come on that day)

2/28/18-project planner emailed applicant regarding payment of the fees

12/3/18-email from DRP to applicant requesting payment of CUP referral fees by 2/4/19 or case could be scheduled for denial

2/6/19-email revised correction letter to applicant-due date 5/6/19

4/4/19-meeting at DRP with Shaul and Erez; they paid the CUP referral fees

7/9/19 eReview sent for CUP

7/16/19 Department of Parks and Recreation cleared the project in eReview (no letter was provided)

8/8/19 Fire Department not cleared letter sent

8/14/19 Department of Public Health not cleared letter sent

8/14/19 Department of Public Works not cleared letter sent

1/22/20 DRP emails applicant to check on status

9/9/20 DRP correction letter sent to applicant-due date 10/13/20

10/8/20 DRP grants time extension to 11/12/20

11/12/20 revised site plan submitted by applicant

11/19/20 DRP sent email regarding corrections to site plan

12/28/20 applicant submits revised site plan

2/4/21 DRP sent email regarding corrections to site plan (due date of 2/18/21)

2/11/21 DRP sent email regarding possible meeting and corrections to site plan (due date of 2/18/21)

2/17/21 applicant submits revised site plan and project description

2/24/21 DRP sent email regarding corrections to site plan and project description (due date of 3/11/21)

3/9/21 revised site plan submitted by applicant; no revised project description was provided

3/18/21 Notice is sent by certified mail to Shaul Yakovi and Steve Kaplan for denial due to inactivity with Hearing Officer date of 4/20/21



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director of Regional Planning

Dennis Slavin
Chief Deputy Director,
Regional Planning

REPORT TO THE HEARING OFFICER

DATE ISSUED:	April 19, 2021	
HEARING DATE:	April 20, 2021	AGENDA ITEM: 6
PROJECT NUMBER:	R2012-02971-(5)	
PERMIT NUMBER(S):	Conditional Use Permit (CUP) 201200163	
SUPERVISORIAL DISTRICT:	5	
PROJECT LOCATION:	32222 Agua Dulce Canyon Road, Agua Dulce	
OWNER:	Ben and Reef Gardens, Inc.	
APPLICANT:	Shaul Yakovi	
CASE PLANNER:	Richard Claghorn, Principal Regional Planner rclaghorn@planning.lacounty.gov	

The above-identified item is a request for a CUP to authorize a special event facility, caretaker's residence, overnight accommodation and related appurtenant facilities.

Additional correspondence pertaining to the project has been received since the preparation of the hearing package. The attached letter from the applicant's attorney dated April 16, 2021 and the accompanying exhibits with copies of prior emails related to the Project Site and a site plan are included in this supplemental hearing package.

Report
Reviewed By:



Samuel Dea, Supervising Regional Planner

Report
Approved By:



Mitch Glaser, Assistant Administrator

Attachments:

April 16, 2021 letter and attached Exhibit 1 (prior emails)
Site Plan

April 16, 2021

SENT VIA EMAIL and FEDERAL EXPRESS

Los Angeles County Department of Regional Planning
Zoning Permits North, Room 1348
320 W. Temple Street
Los Angeles, CA 90012
Attention: Richard Claghorn, Principal Regional Planner
rclaghorn@planning.lacounty.gov

Re: Project Number: R2012-02971 ("Project")
Conditional Use Permit Number: 201200163 ("CUP")
Property: 32222 Agua Dulce Canyon Road ("Property")

Department of Regional Planning:

The undersigned represents Mr. Shaul Yakovi concerning the processing of the above captioned CUP application and is written in response to a letter, dated March 18, 2021, from the LACDRP ("DRP") with reference to a Public Meeting Notice: Denial Due to Inactivity ("Notice") received by my client.

Pursuant to the directive contained in the above referenced Notice, **please be advised** that **my client wishes to keep the subject Project active** and will continue to work with County DRP staff and other County departments to process and submit any and/or all information required by the DRP to bring the subject CUP matter to a Project CUP public hearing.

By way of historical background and context, please be advised as follows. In 2008 my client purchased the six parcels comprising the Property when it was zoned RR-1 [recreational zoning]. The prior owners of the Property operated a privately owned campground, RV park with private swimming and fishing ponds which were open to the public known as Vazquez Park. Mr. Yakovi immediately invested over seven million dollars in improving the parcels to create the Garden of Paradise venue and event space. He timely applied for building permits and the subject CUP, all of which were left pending and never finalized because the County has refused to send inspectors out to finalize the building permits and despite acknowledging that my client's CUP application was complete. Mr. Yakovi applied for a CUP not because of any new use but to conform the existing use of his Property because the County changed the zoning in 2012 from RR1 to A-1 Open Space [light agriculture and open space]. Despite the prior established use, the County sent Mr. Yakovi a letter in 2012 indicating that to the extent he had any "grandfathered" use, it would lapse within five years--or 2017. Please be advised that

my client takes exception to that--"grandfathering" does not lapse and even if assuming that it does, Mr. Yakovi applied for and it was confirmed by the County that his CUP application was complete prior to the "lapse."

Prior to responding to the specific concerns of the DRP contained in its Report to the Hearing Office dated April 8, 2021 ("Report to Hearing Officer"), I would like to bring to the attention of the hearing officer certain facts surrounding the historical and present day processing of the subject CUP application. Notwithstanding the length of time this CUP matter has been in process, and the DRP position that my client has not communicated with, nor supplied to, the DRP information requested, please be advised that as shown on the emails attached as Exhibits 1A -1F, the applicant in this matter has in fact worked closely with the County over a number of years. Of particular interest, please take note of Exhibit 1A wherein the DRP on December 24, 2012 indicated to my client that his CUP application was complete. The balance of the emails in Exhibit 1 document my client's continued attempt to gain the cooperation of the County in inspecting/approving/permitting certain aspects of his Property improvements.

In addition, since my retention late last year in support of my client's CUP application, I have been in regular contact with Regional Planner Richard Claghorn. Attached as Exhibits 2A – 2H are a series of email and letter correspondence between the undersigned and Mr. Claghorn evidencing a working relationship to bring this CUP matter to hearing. It is both noteworthy and concerning to my client, and is hereby brought to the attention of the hearing officer, that a dramatic change of attitude by the County toward my client occurred on February 4 of this year as shown by the conflicting messages contained in Exhibits 2F and 2G. The message conveyed in Exhibit 2F is one of cooperation. The message conveyed in Exhibit 2G expresses an opposite position by the DRP and an unwillingness to further communicate with the applicant and the undersigned.

It is imperative that the hearing officer understand the continued willingness of the applicant to work with County staff on this CUP matter. The applicant is not ignoring the DRP requests for information.

Unfortunately, and as noted above, the cooperative tone of my interaction with the DRP changed and on March 18 Mr. Claghorn informed me that he was no longer able to discuss this matter with me on the phone and that I would be receiving the Notice referenced above. In addition, Mr. Yakovi over the past few weeks has tried to reach out to staff members of the Departments of Public Works, Environmental Health, and the County Fire Prevention Division to clarify certain agency requests and to work with said agencies to satisfy concerns raised in prior correspondence. All of said County agency staff personnel indicated they were unable to speak with him because the Project was "on hold" and that the Property was the subject of litigation with the County.

Viewed from a procedural perspective, applicant Mr. Yakovi is attempting to work with the DRP to bring his CUP application to public hearing and has met certain roadblocks preventing him from fully addressing all of the concerns of the County. The applicant finds himself in a procedural "Catch-22" situation.

Viewed from a substantive perspective, please find submitted herewith a revised Master Site Plan for the Property. A parking matrix is also submitted herewith detailing the parking spaces available for all the uses detailed on the Master Site Plan. In response to concerns raised by the DRP in its 9/9/20 Request for Review Materials ("DRP Request"), please be advised that all of the Site Plan requests for clarification numbered 1-6 contained in said DRP Request letter have been addressed by the submission herewith of the revised Master Site Plan. The guard shack, certain signage, and all cabins and rooms detailed on previous site plans have been removed from the site's master plan. Accordingly, DRP Request item numbers 7&8 for architectural plans for said improvements is now a moot issue. In addition, DRP Request item numbers 9 – 22 for further information and description of site grading, flood zone protection, equestrian uses, juice bar improvements, secondary signage monumentation, winery improvements and new building construction are all now moot as well as the submitted new Master Site Plan contain none of the uses or construction improvements contemplated by previously submitted site plans. With reference to items 23-28 detailed in the DRP Request, all information requested will be submitted to DRP staff as we continue to work with County staff to bring the subject Project to a CUP public hearing.

In conclusion, and contrary to the recommendation by DRP staff in its Report to Hearing Officer to deny the subject CUP, and for all of the reasons detailed in this submitted correspondence and based upon the information to be presented at the upcoming April 20th hearing date, request is hereby made to the hearing officer to allow my client and the applicant in the subject CUP matter to continue to work with the DRP and other County departments in order to bring this matter to a full and substantive public hearing on the merits of the Project.

Thank you for your consideration of the enclosed materials.

Respectfully submitted,

Steve Kaplan

cc: Client
Law Office of Mainak D'Attaray

EXHIBIT 1



shaul yakovi <shaul92@gmail.com>

Fwd: Application Status regarding R2012-02971

2 messages

shaul yakovi <shaul92@gmail.com>

To: Erez Karni <karni69@gmail.com>

Mon, Dec 24, 2012 at 2:43 PM

----- Forwarded message -----

From: **Susan Tae** <stae@planning.lacounty.gov>

Date: Mon, Dec 24, 2012 at 8:55 AM

Subject: Application Status regarding R2012-02971

To: "Shaul92@gmail.com" <Shaul92@gmail.com>

Cc: Mark Herwick <mherwick@planning.lacounty.gov>, Oscar Gomez <ogomez@planning.lacounty.gov>, Mitch Glaser <mglaser@planning.lacounty.gov>, Robert Glaser <rglaser@planning.lacounty.gov>

Good morning Shaul,

My name is Susie Tae and I work with Mr. Rob Glaser. He will be out of the office this week, and asked that I forward you this e-mail, documenting that you have submitted the necessary information in order for the application to be deemed complete.

Hi Shaul,

This email is confirmation that your application for Project R2012-02971/CUP 201200163/ENV 201200305 is complete. The project request is for a Conditional Use Permit to authorize a private recreation club, a type 47 (beer, wine, and distilled spirits) ABC permit for on-site consumption, massage services, a winery with a tasting room, and a caretaker's residence in the R-R-1 (Resort and Recreation – One Acre Required Minimum Lot Size) zone. During the submittal process I have verified that you submitted the appropriate documentation, but I have returned part of this required information to you, since it was original documents to be reproduced. Please be aware that I will be waiting for these documents before proceeding.

Thanks,

Rob Glaser

Thank you, and happy holidays!

Susie

4/15/2021

Gmail - Fwd: Application Status regarding R2012-02971

Susan Tae, AICP

Supervising Regional Planner

Zoning Permits North Section

Department of Regional Planning

320 W. Temple Street

Los Angeles, CA 90012

<http://planning.lacounty.gov>

213-974-6443



CONFIDENTIALITY NOTICE: This email message, including any attachments, from the Department of Regional Planning is intended for the official and confidential use of the recipients to whom it is addressed. It contains information that may be confidential, privileged, work product, or otherwise exempted from disclosure under applicable law. If you have received this message in error, be advised that any review, disclosure, use, dissemination, distribution, or reproduction of this message or its contents is strictly prohibited. Please notify us immediately by reply email that you have received this message in error, and destroy this message, including any attachments.

shaul yakovi <shaul92@gmail.com>

To: greg@pagelawyers.com

Mon, Dec 24, 2012 at 3:02 PM

[Quoted text hidden]



shaul yakovi <shaul92@gmail.com>

Fwd: agua dulce

1 message

Erez Karni <karnier@gmail.com>
To: shaul yakovi <shaul92@gmail.com>

Wed, Dec 16, 2020 at 3:28 PM

Office mail server

Begin forwarded message:

From: Mitch Glaser <mglaser@planning.lacounty.gov>
Date: ~~October 25, 2012 at 09:02:26 PDT~~
To: mike@lewisandco.net
Cc: Jon Sanabria <jsanabria@planning.lacounty.gov>, Shaul Yakovi <Shaul92@gmail.com>, karnier@gmail.com, Edel Vizcarra <evizcarra@lacbos.org>, Amir Bashar <abashar@planning.lacounty.gov>, Richard Claghorn <rclaghorn@planning.lacounty.gov>, Robert Glaser <rglaser@planning.lacounty.gov>, Oscar Gomez <ogomez@planning.lacounty.gov>, "Navarro, Veronica" <vnavarro@counsel.lacounty.gov>, Mark Herwick <mherwick@planning.lacounty.gov>, Susan Tae <stae@planning.lacounty.gov>
Subject: RE: agua dulce

Hi Mike:

Thursday November 8 is the earliest date that works for all the County folks. I have scheduled the meeting for 2 p.m. and the meeting location is Room 160 at the Hall of Records (320 W. Temple Street). Room 160 is on the first floor of the building near the snack bar.

Attendees will include the following:

- Amir Bashar, Zoning Enforcement North
- Richard Claghorn, Land Development Coordinating Center / Site Plan Review
- Mitch Glaser, Community Studies North
- Rob Glaser, Zoning Permits North
- Oscar Gomez, Zoning Enforcement North
- Patricia Keane, County Counsel

Feel free to contact me if you have any questions in the meantime.

Thanks,

Mitch

Mitch Glaser, AICP
Supervising Regional Planner
Community Studies North Section
Department of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012
<http://planning.lacounty.gov>
213-974-6476

From: mike@lewisandco.net [mailto:mike@lewisandco.net]
Sent: Wednesday, October 24, 2012 10:54 AM
To: Mitch Glaser
Cc: Jon Sanabria; Shaul Yakovi; karnier@gmail.com; Edel Vizcarra
Subject: Re: agua dulce

29, 5, 7, 8 all work. Can we do the 29th?
Mike

Sent from my Verizon Wireless BlackBerry

From: Mitch Glaser <mglaser@planning.lacounty.gov>
Date: Wed, 24 Oct 2012 15:10:35 +0000
To: mike@lewisandco.net<mike@lewisandco.net>
Cc: Jon Sanabria<jsanabria@planning.lacounty.gov>; Shaul Yakovi<shaul92@gmail.com>; karnier@gmail.com<karnier@gmail.com>; Edel Vizcarra<evizcarra@lacbos.org>
Subject: RE: agua dulce

Hi Mike:

Thanks for letting me know. Here are some new options, please advise of your availability and I will coordinate with the folks on my end.

Monday October 29, before 1 p.m.

Wednesday October 31, 2 p.m. or later

Monday November 5, 11 a.m. or later

Wednesday November 7, anytime

Thursday November 8, 1 p.m. or later

Mitch

Mitch Glaser, AICP
Supervising Regional Planner
Community Studies North Section
Department of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012
<http://planning.lacounty.gov>
213-974-6476

From: mike@lewisandco.net [mailto:mike@lewisandco.net]
Sent: Tuesday, October 23, 2012 6:49 PM
To: Mitch Glaser
Cc: Jon Sanabria; Shaul Yakovi; karnier@gmail.com; Edel Vizcarra
Subject: Re: agua dulce

Any day but tuesday works. I'm ried up all day with the construction contractors associations.
Mike

Sent from my Verizon Wireless BlackBerry

From: Mitch Glaser <mglaser@planning.lacounty.gov>
Date: Tue, 23 Oct 2012 22:28:56 +0000
To: Mike Lewis<mike@lewisandco.net>
Cc: Jon Sanabria<jsanabria@planning.lacounty.gov>; shaul92@gmail.com<shaul92@gmail.com>; karnier@gmail.com<karnier@gmail.com>; evizcarra@lacbos.org<evizcarra@lacbos.org>
Subject: RE: agua dulce

Hi Mike:

Can you meet with us on Tuesday October 30 before 11 a.m.? Please let me know ASAP.

Thanks,

Mitch

Mitch Glaser, AICP
Supervising Regional Planner
Community Studies North Section

Department of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012
<http://planning.lacounty.gov>
213-974-6476

From: Mitch Glaser
Sent: Wednesday, October 17, 2012 5:47 PM
To: Mike Lewis
Cc: Jon Sanabria; shaul92@gmail.com; karnier@gmail.com; evizcarra@lacbos.org
Subject: Re: agua dulce

Hi Mike:

I would be happy to meet with you. It is my understanding that folks from our current planning and zoning enforcement groups have been involved so I will need to invite them as well. I may also need to invite our county counsel. I will coordinate with everyone on the county side and will send you and Edel some possible dates and times ASAP.

Thanks,

Mitch

Mitch Glaser, AICP
Supervising Regional Planner
Community Studies North Section
Department of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012
<http://planning.lacounty.gov>
213-974-6476

On Oct 17, 2012, at 5:19 PM, "Mike Lewis" <mike@lewisandco.net> wrote:

Mitch,

Spoke with Edel Vizcarra today and understand that the final adoption of this plan has been postponed until November 27th.

I would like to arrange a meeting with you and the property owner so we can discuss their concerns and their plans for a Conditional Use Permit.

Edel indicated he would be willing to join us.

Let me know what times might work for you.

Mike Lewis

Consultant

951-206-4420

From: shaul yakovi [mailto:shaul92@gmail.com]
Sent: Thursday, October 11, 2012 1:18 PM
To: mike@lewisandco.net
Subject: agua

Fwd: OVOV. Planing
Inboxx

Erez
11:13 AM (43 minutes ago)

to me

Shaul take a look

Mail account

Begin forwarded message:

From: Mitch Glaser <mglaser@planning.lacounty.gov>
Date: October 11, 2012 10:31:28 AM PDT
To: "karnier@gmail.com" <karnier@gmail.com>
Cc: Jon Sanabria <jsanabria@planning.lacounty.gov>
Subject: OVOV

Mr. Karni: It is my understanding that you called my office yesterday for more information regarding the Santa Clarita Valley Area Plan Update, otherwise known as One Valley One Vision, or OVOV. It is also my understanding that you are specifically concerned with the zoning changes for Assessor's Parcel Numbers 3212-007-025, 3212-007-026, 3212-007-027, 3212-007-028, and 3212-008-054 in the unincorporated community of Agua Dulce. OVOV began in 2001. We released a Preliminary Draft Plan in 2008, a Draft Plan in 2009, a Revised Draft Plan in 2010, and a Final Draft Plan in 2011. The Regional Planning Commission conducted public hearings in 2009, 2010, and 2011 and ultimately recommended approval by the Board of Supervisors. On February 28, 2012, the Board of Supervisors conducted a public hearing and indicated its intent to approve the Plan. I anticipate that the Board will adopt the Plan in the near future. For more information regarding OVOV, please refer to the project web site at <http://planning.lacounty.gov/ovov>. The Preliminary Draft Plan (and subsequent drafts) designated these parcels as Rural Land 2 (RL2), with a maximum density of 1 unit per 2 acres. In addition, the Preliminary Draft Plan (and subsequent drafts) designated these parcels as a Significant Ecological Area (SEA). In 2009, we conducted a zoning consistency analysis. We noted that the existing zoning is R-R (Resort and Recreation). In consideration of the RL2 designation and the SEA designation, we felt that A-1 (Light Agricultural) was a more appropriate zone. So after conducting the zoning consistency analysis, we proposed to change the zoning from R-R to A-1. In summer 2009, we researched our records and conducted some field studies and did not find any existing uses that would become non-conforming. The proposed zoning has been shown on maps, and our OVOV-NET mapping system, since fall 2009. In fall 2009, we sent a notice to each property owner affected by OVOV. The notice listed the proposed land use designation and the proposed zoning designation for each property. The mailing addresses were provided by the County Assessor's Office. The notices for Assessor's Parcel Numbers 3212-007-025,

4/15/2021

Gmail - Fwd: agua dulce

3212-007-026, 3212-007-027, 3212-007-028, and 3212-008-054 were mailed to the following:
BORDEN, STEVEN L AND SUSAN W TRS26525 JOSEL DRSANTA CLARITA CA91387

I hope this information is helpful. Please feel free to contact me if you have additional questions. Thanks, Mitch Mitch Glaser, AICP Supervising Regional Planner Community Studies North Section Department of Regional Planning 320 W. Temple Street Los Angeles, CA 90012 <http://planning.lacounty.gov> 213-974-6476



shaul yakovi <shaul92@gmail.com>

Handicap Parking, Ben and Reef Gardens

2 messages

shaul yakovi <shaul92@gmail.com>

To: rglaser@planning.lacounty.gov

Tue, Apr 30, 2013 at 6:49 PM

Hello Rob,

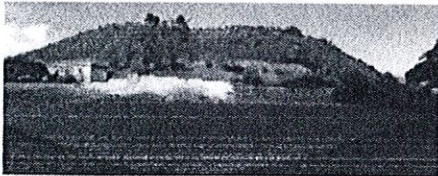
Sorry about that last e-mail. This is the handicap parking with signs and everything, it is completely finished and is ready for use. Please remove all the restrictions and any other problems from the property. Oscar Gomez's office have the documentation. If you have any questions contact me through e-mail or phone.

Shaul Yakovi

(213)923-5225

shaul92@gmail.com

Much Appreciated,
Shaul Yakovi



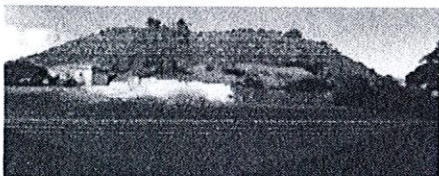
handicap parking.JPG
4463K

shaul yakovi <shaul92@gmail.com>

To: erez karni <karni69@gmail.com>

Tue, Apr 30, 2013 at 6:49 PM

[Quoted text hidden]



handicap parking.JPG
4463K



shaul yakovi <shaul92@gmail.com>

Re: Inspection

3 messages

shaul yakovi <shaul92@gmail.com>

Tue, May 14, 2013 at 3:17 PM

To: Amir Bashar <abashar@planning.lacounty.gov>

Hi Amir

i did not see your email but if you like to come this thursday email me the time of the day

Thank You
Shaul Yakovi

On Tue, May 7, 2013 at 11:48 AM, Amir Bashar <abashar@planning.lacounty.gov> wrote:

Hi Mr. Yakovi,

~~I would like to schedule an appointment with you to inspect the improved and paved parking spaces for the property on Agua Dulce Cyn Rd. Specifically, I would like to measure the handicapped spaces to see that they meet the required codes. I have Thursday afternoon open to meet with you on the property. Please let me know if this works for you.~~
Thanks!

Amir Bashar

Regional Planning

Zoning Enforcement

213-974-6455

661-222-2940

shaul yakovi <shaul92@gmail.com>

Mon, May 20, 2013 at 3:32 PM

To: Amir Bashar <abashar@planning.lacounty.gov>

Hello Amir

It was nice to see you on Thursday hope you clear our violation

Thank You
Shaul Yakovi
[Quoted text hidden]

shaul yakovi <shaul92@gmail.com>

Tue, May 28, 2013 at 2:22 PM

To: Amir Bashar <abashar@planning.lacounty.gov>

Hi amir

I am still waiting for your department's answer and clearing the violation. I've been waiting for this for two weeks
Thank You

Shaul Yakovi

On Tue, May 21, 2013 at 8:10 AM, Amir Bashar <abashar@planning.lacounty.gov> wrote:

Hi Shaul,

Unfortunately my supervisor is out of the office this week. I still need to go over the inspection results with him which will be this upcoming Tuesday (holiday on Monday). Thank you for your patients.

Amir

[Quoted text hidden]



shaul yakovi <shaul92@gmail.com>

32222 Agua Dulce Cyn

1 message

Dawn Melillo <dmelillo@dpw.lacounty.gov>
To: "shaul92@gmail.com" <shaul92@gmail.com>

Wed, Apr 14, 2021 at 6:10 PM

Good morning Sean,

As discussed, Planning approval is required prior to any building permit issuance. Please contact 213-974-6411 or kschlegel@planning.lacounty.gov.

Dawn Melillo

Building Engineering Inspector

Los Angeles County Department of Public Works

661-222-2940



shaul yakovi <shaul92@gmail.com>

Fwd: driveway 32222 Aqua Dulce Cyn. Rd

1 message

shaul yakovi <shaul92@gmail.com>

To: laffabar@gmail.com

Thu, Apr 30, 2009 at 11:36 PM

----- Forwarded message -----

From: **Cruz, Ruben** <RCRUZ@dpw.lacounty.gov>

Date: Wed, Apr 29, 2009 at 3:01 PM

Subject: RE: driveway 32222 Aqua Dulce Cyn. Rd

To: "Cruz, Ruben" <RCRUZ@dpw.lacounty.gov>, "Lexin, Robert" <RLEXIN@dpw.lacounty.gov>, "Claghorn, Richard" <rclaghorn@planning.lacounty.gov>, "Al-Badawi, Ribhi" <RALBADAWI@dpw.lacounty.gov>, "Nguyen, Joseph" <CHNGUYEN@dpw.lacounty.gov>, "Gomez, Oscar" <ogomez@planning.lacounty.gov>

Cc: "Thompson, Scott" <STHOMP@dpw.lacounty.gov>, "Schleikorn, Letty" <LSCHLEIK@dpw.lacounty.gov>, "Paidar, Nooshin" <npaidar@planning.lacounty.gov>, shaul92@gmail.com, "Duong, Toan" <TDUONG@dpw.lacounty.gov>

Richard,

Per our telephone conversation with the applicant, the applicant will submit a copy of the site plan for Public Works tomorrow afternoon. Per our discussion, this driveway approach will be a temporary apron, until the plot plan and CUP has been reviewed and comment by Land Development. If the applicant wants to construct a sign within our road right of way, we will forward them to our 8th floor Construction Division to review and approval of the encroachment. Upon the submittal of the site plan, I will determine what review and approval will be required.

From: Cruz, Ruben
Sent: Wednesday, April 29, 2009 2:14 PM**To:** Lexin, Robert; 'Claghorn, Richard'; Al-Badawi, Ribhi; Nguyen, Joseph; 'Gomez, Oscar'**Cc:** Thompson, Scott; Schleikorn, Letty; 'Paidar, Nooshin'**Subject:** RE: driveway 32222 Aqua Dulce Cyn. Rd

Richard and Oscar,

This project has not been submitted to Land Development for us to review and recommend approval. The applicant is calling my supervisor regarding the commercial driveway construction. I need additional information regarding this project (approval process, CUP, plot plan) ?

Applicant has informed me the CUP has expired, but DRP has given permission to continue with the paving including the reconstruction of driveway apron. At this time we do not know if the CUP requires additional improvements, or if a plot plan was approved without our Division reviewing and setting road improvements.

If you can please provide me with additional information, so we can assist the applicant. We are going to ask the applicant to submit to us the latest plot plan, so we can assist .the applicant.

From: Lexin, Robert
Sent: Wednesday, April 29, 2009 11:25 AM
To: Cruz, Ruben
Cc: Thompson, Scott
Subject: FW: driveway 32222 Aqua Dulce Cyn. Rd

Good morning Ruben,

The property owner of 32222 Aqua Dulce Cyn Rd. wants to obtain a permit for commercial driveway construction. They received the following (see below) from Regional Planning.

I talked with Leslie Cozby of B&S and she indicated that the property owner performed grading for construction across lots without a building permit and needs a CUP.

Please advise.

Thank you for your help,

Robert W. Lexin
Senior Construction Inspector
Permit Office No. 5
38126 North Sierra Highway
Palmdale, CA 93550
(661) 947-4151 Office
(661) 904-8380 Cell
(661) 947-5022 FAX
rlexin@dpw.lacounty.gov

From: shaul yakovi [mailto:shaul92@gmail.com]
Sent: Wednesday, April 29, 2009 9:18 AM
To: Lexin, Robert
Subject: Fwd: driveway

----- Forwarded message -----

From: Claghorn, Richard <rclaghorn@planning.lacounty.gov>
Date: Tue, Apr 28, 2009 at 5:15 PM
Subject: driveway
To: shaul yakovi <shaul92@gmail.com>

Shaul,

We spoke yesterday and earlier today about the driveway at 32222 Agua Dulce Canyon Road that you would like to complete the paving for. A permit (PCCO 200801981) relating to the driveway was issued but work was stopped due to some violations on the property before it was completed. You have a pending plot plan review case with us (RPP 200900080) for the outdoor dance pavilion and other structures on the property that you are seeking approval for. There are still some issues that need to be resolved before we can issue an approval of the plot plan case.

After discussing the driveway situation with Oscar Gomez of our Zoning Enforcement III section and Nooshin Paidar, my supervisor, we decided that it would be okay to resume work on completing the driveway once you get the okay from Public Works to resume. You would need to wait for the site plan to be approved and approval from Building and Safety and any other required agencies to be granted before the other work can be done.

We would not have any objection to you finishing work on the driveway once you get the okay from Public Works. We would also request that you verify the right of way location with Public Works and avoid putting any posts or other structures within the public right of way unless they authorize it. Let me know if you have any questions.

Richard Claghorn



shaul yakovi <shaul92@gmail.com>

Fwd: FW: 32222 Agua Dulce Canyon Rd.

1 message

shaul yakovi <shaul92@gmail.com>
To: d_design_inc@yahoo.comThu, Dec 18, 2008 at 4:54 PM

----- Forwarded message -----

From: **Claghorn, Richard** <rclaghorn@planning.lacounty.gov>
Date: Thu, Dec 18, 2008 at 10:15 AM
Subject: FW: 32222 Agua Dulce Canyon Rd.
To: shaul92@gmail.com

I sent the e-mail below to Building and Safety based on our discussion on Tuesday.

Richard Claghorn

From: Claghorn, Richard
Sent: Thursday, December 18, 2008 10:10 AM
To: 'rbagby@dpw.lacounty.gov'; 'lcozby@dpw.lacounty.gov'; 'jmccarne@dpw.lacounty.gov'
Cc: Gomez, Oscar; Paidar, Nooshin
Subject: 32222 Agua Dulce Canyon Rd.

Mr. Shaoul Yakovi has requested that we write to you concerning the status of the property at 32222 Agua Dulce Canyon Road. There are 8 parcels in all.

The applicant has agreed to submit a site plan review for the renovation of the existing residence on parcel 3212-008-054. They have not yet filed the case, but plan to soon. The site plan review will only be for the remodeling of the residence and will not include the other work on the property. We have agreed to process this case separately from the CUP.

The applicant has agreed to submit a CUP for this same parcel (54) for an RV Park/campground/snack bar/caretaker residence and related uses, including grading/solid fill on the property. There was a previous CUP for an RV Park/caretaker's residence that has expired. They have not filed the case yet but plan to do so soon according to a letter we received from them.

The applicant is also seeking approval for parcels 3212-007-025 and -026. They want approval for holding outdoor events such as weddings, birthday parties, business conferences and other events. There was also some grading work done on these parcels for some ponds and some structures were built without permits. We are still in the process of determining what the appropriate permitting procedures will be for this property. We will notify you of the process that will be required once that has been determined. It will be either a site plan review or CUP.

4/15/2021

Gmail - Fwd: FW: 32222 Agua Dulce Canyon Rd.

The applicant has indicated to us that they do not plan on using APN 3212-007-027 and -028, APN 3212-008-051 and -052 and APN 3212 -004-012 at this time for any use and they plan to keep them as vacant parcels. Parcels 12, 51 and 52 have an existing driveway that will continue to provide access to parcel 54, but no other uses are proposed on these parcels according to the applicant.

Our Zoning Enforcement section has cited the property owner for violations on parcels 25, 26 and 54. They are in the process of working to correct the violations, and the applications they are filing will be part of this process. There are no current zoning violations on parcels 12, 51, 52, 27 and 28. The applicant has asked for our clearance for these vacant parcels but since there is no proposed use on these parcels there is nothing for us to review. They have reportedly done some work in the stream bed on parcels 27 and 28. We believe this work will require clearance from the Department of Fish and Game, but no Regional Planning approval would be needed for these parcels based on the information we have. If you have any questions regarding the Zoning Enforcement issues you may contact Oscar Gomez.

Let me know if you have any questions regarding any of the above properties. I'll be out of the office next week so if you have questions about the case during that time you may contact Oscar Gomez or Nooshin Paidar.

Richard Claghorn

EXHIBIT 2

2A

From: Richard Claghorn

Sent: Thursday, October 8, 2020 10:12 AM

To: shaul yakovi <shaul92@gmail.com>

Cc: karnier@gmail.com <karnier@gmail.com>; Samuel Dea <sdea@planning.lacounty.gov>; Kerstin Schlegel <kschlegel@planning.lacounty.gov>; Toan Duong <TDUONG@dpw.lacounty.gov>; Shayne Lamont <SLamont@ph.lacounty.gov>; Youman, Joseph <Joseph.Youman@fire.lacounty.gov>

Subject: Time Extension of due date for CUP 201200163

Shaul,

We are granting your request for a time extension until **November 12, 2020**. However, we cannot process a CUP with active violations. As explained previously, including in my email to you dated October 1, 2020, which is copied below, you are not authorized to hold events at this location until after you receive approval of the CUP application. Therefore, you must cease holding any events until you obtain an approved CUP. Plot Plan RPP200900080 is not effective for continued operation of the event center.

You have now stated that you want to revise your CUP application to reduce the scope of your project. You must submit the following by November 12, 2020:

1. Submit to Regional Planning a revised site plan by November 12, 2020. The revised site plan should show only the existing structures.
2. Submit to Regional Planning a revised project description by November 12, 2020.
3. Submit to the Department of Public Health the required information for Drinking Water and Onsite Wastewater Treatment System as explained in the attached DPH letter.

We reiterate that this or any extension does not authorize you to continue holding events, and is only to keep your CUP application active. Thank you.

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning

We Appreciate Your Feedback!

Please take a moment and fill out our EPIC-LA customer experience survey by clicking on the link below:

<https://bit.ly/LACoCSSSurvey>

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov

From: Richard Claghorn <rclaghorn@planning.lacounty.gov>

Sent: Thursday, October 1, 2020 1:56 PM

To: shaul yakovi <shaul92@gmail.com>

Cc: karnier@gmail.com <karnier@gmail.com>; Samuel Dea <sdea@planning.lacounty.gov>; Kerstin Schlegel <kschlegel@planning.lacounty.gov>; Toan Duong <TDUONG@dpw.lacounty.gov>; Shayne Lamont <SLamont@ph.lacounty.gov>; Youman, Joseph <Joseph.Youman@fire.lacounty.gov>

Subject: Gardens of Paradise CUP

Good afternoon Shaul,

Please read the attached letter dated 9/9/20 regarding your project, and the related attachments. The letter and the attached letters from other County departments are based on the current project scope. As we've discussed, it is recommended that the project be downsized to focus on legalizing the existing unpermitted structures and establishing the event venue use through the CUP. Revised plans and application materials are needed to show the revised scope of the project. We can send the project to the other departments for interdepartmental County review if we receive the revised submittal materials. If we don't receive an adequate response by the deadline of October 13, 2020 we may begin the process of scheduling the CUP application for a public hearing for denial due to inactivity.

In addition, I've attached a letter from 2012 which explains background on the zone change that occurred in 2012 and how it affects your property. As explained on page 3 of the letter, the site plan approval for outdoor dance pavilion would only be valid for a period of 5 years after the date the zone change became effective. This means that after 12/27/17 the use would have to terminate, unless the CUP was approved by then, assuming the use had been legally established. Since the CUP is still not approved, you may not hold events at the site.

At this time, any gatherings/events not specifically allowed in the Health Officer Order 9.4.20, such as places of worship services, therapeutic behavioral health groups, small cohorts at schools/day care, etc., are prohibited.

Because of this order, gatherings and events not allowed in the order are prohibited, so even if the CUP had been approved the order related to the current pandemic would prohibit gatherings at the location until such time the order is lifted.

Let me know if you have any other questions about it. Thank you.

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning

We Appreciate Your Feedback:

Please take a moment and fill out our customer experience survey for online applications [bit.ly/LACoCSSSurvey].

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov

From: Richard Claghorn

Sent: Wednesday, September 9, 2020 4:36 PM

To: shaul92@gmail.com <shaul92@gmail.com>; karnier@gmail.com <karnier@gmail.com>

Subject: Gardens of Paradise CUP

Hello Shaul and Erez,

Please read the attached correction letter regarding your case, along with the other attached letters and documents. Let me know if you have any questions. Thanks.

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning

We Appreciate Your Feedback:

From: Richard Claghorn <rciaghorn@planning.lacounty.gov>

Date: Thu, Oct 15, 2020 at 2:20 PM

Subject: Fw: Time Extension of due date for CUP 201200163

To: Steve Kaplan <sk.landuselaw@gmail.com>

2B

Hello Mr. Kaplan,

Please see below for my email to Shaul Yakovi regarding the time extension to Nov. 12. Please note that after today I will be on vacation and will return on Oct. 26. If you need to reach us during that time, you may contact Samuel Dea, my supervisor, at sdea@planning.lacounty.gov, or Tracy Swann. Thanks.

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning

We Appreciate Your Feedback!

Please take a moment and fill out our EPIC-LA customer experience survey by clicking on the link below:

<https://bit.ly/LACoCSSSurvey>

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov

2c

November 12, 2020

SENT VIA EMAIL

Richard Claghorn, Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

SUBJECT: RESPONSE TO REQUEST FOR REVIEW MATERIALS

Project: R2012-02971 – (5)
Case: CUP No. 201200163
Address: 32222 Agua Dulce Canyon Road

Dear Mr. Claghorn:

The undersigned represents Mr. Shaul Yakovi, the owner and applicant of the above captioned Project site. This letter is written in response to your October 8, 2020 email sent to my client and to your letter dated September 9, 2020 directed to Messrs. Yakovi and Karni.

Please be advised that it my present intention, and that of my client, to provide to you in a timely manner the materials requested in your 10/8/20 email and, in a subsequent submission, to more fully address all the requests for information detailed in your 9/9/20 letter. It is our intention and expectation that in providing you the materials that you and other County agencies have requested with respect to the subject Project, that the referenced Case will be set for public hearing sometime early next year.

Accordingly, please find submitted along with this letter a revised Project site plan detailing the existing structures on the site and a revised Project Description, the original of which was filed as part of the Zoning Permit Application for the subject Case.

In addition, please be advised that with respect to the County of Los Angeles Department of Public Health memorandum dated August 14, 2019 (“Memorandum”), I have recently reached to Lusi Mkhitarian, manager of the County Environmental Health Drinking Water Program and to Chris Gibson concerning the issue of onsite wastewater treatment. I have also reached out to County of Los Angeles Environmental Health Specialist Vincent Gallegos who prepared the subject Memorandum. I expect to be working with the above noted County Health personnel to answer and provide all the information requested by said individuals in the subject Memorandum.

Richard Claghorn
Department of Regional Planning
November 12, 2020
Page 2

In close, and based upon our timely response to your 10/8/20 email, request is hereby made for a further extension of time within which my client shall answer and respond to all of the County's concerns with respect to the processing of the subject CUP application.

Thank you for you review and consideration of this subject submittal.

Respectfully submitted,



Steve Kaplan

Thank you for the information you provided on Nov. 12, 2020. Unfortunately, we have still not received all of the requested information. Please provide an updated project description as soon as possible. Also, there are some issues with the revised site plan, as follows:

1. Northeast of the pavilion the kitchen and storage buildings were removed from the plan, but the labels for those structures are still on the plan. They should be deleted.
2. The site plan shows a 400 sf restroom structure north of the pavilion. Is this an existing or proposed structure? This structure doesn't appear in a 2017 aerial photo.
3. The site plan shows a restaurant building on the south parcel. There is no restaurant there currently, so it should not be depicted as a restaurant. It was a snack bar/restaurant in the past, but has not been one for many years, and re-establishing a restaurant here will make the approval process more difficult. It should be labeled as a storage structure, which appears to be its current function.
4. The site plan shows a snack bar on the south parcel south of the pool. This is not an existing use and should be deleted from the site plan.
5. The site plan shows a laundry structure on the south parcel. Based on a site visit in 2018 it was a storage structure. The size and shape of the structure on the site plan don't appear accurate based on the attached aerial photo (Parcel 54).
6. The site plan shows a parking area on the west side of parcels 27 and 28. Aerial photos show an unpaved parking area in the same general area, but it is much smaller in size than depicted on the site plan. Based on the attached topo map, portions of this parking area are very steep (20%+ slope) and would not be suitable for parking. The site plan should only depict parking areas that are relatively flat and have been used for parking before, and not any areas that would require vegetation clearance or grading.

Let me know how much time is needed in order to provide this information. Also, please be aware that we can't process the CUP where there is an ongoing Zoning Violation. Events must cease on the site before we can continue processing the CUP. Thank you.

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning

We Appreciate Your Feedback!

Please take a moment and fill out our EPIC-LA customer experience survey by clicking on the link below:
<https://bit.ly/LACoCSSSurvey>

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov

From: Steve Kaplan <sk.landuselaw@gmail.com>
Sent: Thursday, November 19, 2020 1:50 PM
To: Richard Claghorn <rclaghorn@planning.lacounty.gov>
Subject: Re: 32222 Auga Dulce Canyon Road

Hello Steve,

Thanks for the revised site plan. Can you please let me know when a revised project description will be submitted? Thanks.

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning

We Appreciate Your Feedback!

Please take a moment and fill out our EPIC-LA customer experience survey by clicking on the link below:

<https://bit.ly/LACoCSSSurvey>

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov

From: Steve Kaplan <sk.landuselaw@gmail.com>
Sent: Monday, December 28, 2020 8:16 AM
To: Richard Claghorn <rclaghorn@planning.lacounty.gov>
Cc: shaul92@gmail.com <shaul92@gmail.com>
Subject: Re: 32222 Auga Dulce Canyon Road

CAUTION: External Email. Proceed Responsibly.

Good morning Richard,

In response to your below email request of 11/19/20, please find attached a revised project site plan addressing the concerns noted in your subject email.

I will reach out to you later today to further discuss the processing of my client's CUP filing.

Thank you.

Best,

STEVE KAPLAN
Attorney
16133 Ventura Boulevard, Suite 700
Encino, CA 91436
Office: 818.377.7440
Cell: 818.321.9575
Facsimile: 818.377.7401
E-Mail: sk.landuselaw@gmail.com

On Thu, Nov 19, 2020 at 3:25 PM Richard Claghorn <rclaghorn@planning.lacounty.gov> wrote:
Hi Steve,

From: Richard Claghorn <rclaghorn@planning.lacounty.gov>

Date: Thu, Nov 19, 2020 at 3:25 PM

Subject: Re: 32222 Auga Dulce Canyon Road

To: Steve Kaplan <sk.landuselaw@gmail.com>, shaul92@gmail.com <shaul92@gmail.com>

2E

Hi Steve,

Thank you for the information you provided on Nov. 12, 2020. Unfortunately, we have still not received all of the requested information. Please provide an updated project description as soon as possible. Also, there are some issues with the revised site plan, as follows:

1. Northeast of the pavilion the kitchen and storage buildings were removed from the plan, but the labels for those structures are still on the plan. They should be deleted.
2. The site plan shows a 400 sf restroom structure north of the pavilion. Is this an existing or proposed structure? This structure doesn't appear in a 2017 aerial photo.
3. The site plan shows a restaurant building on the south parcel. There is no restaurant there currently, so it should not be depicted as a restaurant. It was a snack bar/restaurant in the past, but has not been one for many years, and re-establishing a restaurant here will make the approval process more difficult. It should be labeled as a storage structure, which appears to be its current function.
4. The site plan shows a snack bar on the south parcel south of the pool. This is not an existing use and should be deleted from the site plan.

5. The site plan shows a laundry structure on the south parcel. Based on a site visit in 2018 it was a storage structure. The size and shape of the structure on the site plan don't appear accurate based on the attached aerial photo (Parcel 54).
6. The site plan shows a parking area on the west side of parcels 27 and 28. Aerial photos show an unpaved parking area in the same general area, but it is much smaller in size than depicted on the site plan. Based on the attached topo map, portions of this parking area are very steep (20%+ slope) and would not be suitable for parking. The site plan should only depict parking areas that are relatively flat and have been used for parking before, and not any areas that would require vegetation clearance or grading.

Let me know how much time is needed in order to provide this information. Also, please be aware that we can't process the CUP where there is an ongoing Zoning Violation. Events must cease on the site before we can continue processing the CUP. Thank you.

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning

We Appreciate Your Feedback!

Please take a moment and fill out our EPIC-LA customer experience survey by clicking on the link below:

<https://bit.ly/LACoCSSSurvey>

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov

From: Steve Kaplan <sk.landuselaw@gmail.com>
Sent: Thursday, November 19, 2020 1:50 PM
To: Richard Claghorn <rclaghorn@planning.lacounty.gov>
Subject: Re: 32222 Auga Dulce Canyon Road

CAUTION: External Email. Proceed Responsibly.
--

Richard,

Once again, and before your work week ends, I hope you will give me a call at 818-321-9575 to discuss the CUP processing of the above captioned site.

Thank you.

STEVE KAPLAN
Attorney
16133 Ventura Boulevard, Suite 700
Encino, CA 91436
Office: 818.377.7440
Cell: 818.321.9575
Facsimile: 818.377.7401
E-Mail: sk.landuselaw@gmail.com

----- Forwarded message -----

From: Richard Claghorn <rclaghorn@planning.lacounty.gov>

Date: Thu, Feb 4, 2021 at 1:56 PM

Subject: Re: 32222 Auga Dulce Canyon Road

To: Steve Kaplan <sk.landuselaw@gmail.com>

Cc: Kerstin Schlegel <kschlegel@planning.lacounty.gov>

24

Steve,

One-Stop Counseling for the project would require submittal of a Zoning Permits One-Stop Counseling application form, site plan, revised project description, and fees (\$384-DRP, \$269-DPW, \$153-Fire, \$137-DPH). If all departments are requested, it costs \$943. The fees may increase if paid after Feb. 28. The application form and EPIC-LA portal for online submittals can be accessed at this link:

[Applications & Forms | DRP \(lacounty.gov\)](#)

One-Stop meetings are only held once per month on the second Tuesday. The next one that is available would be the one on March 9. In order to get on the schedule for March 9, we would need to receive the application materials and payment and I would have to send out the request today, because it must be done at least 30 days before the meeting date. I don't think that is possible, so realistically, the earliest feasible One-Stop date would be on April 13. One-Stop meetings are one hour in length and are conducted online. Each department would also issue a letter or report detailing their requirements for the project, based on the information provided.

It may be possible to set up an interdepartmental meeting to address the issues outside the One-Stop process, although that would depend on staff availability and would have to be requested by our upper management in coordination with the other departments. Because of the complexity of the case, I'm not sure a regular One-Stop meeting would be the best way to address it, so a special meeting may be preferable. I'll discuss it with my supervisor later today, but I'm not sure yet how feasible it may be. I probably won't be able to follow up with you today, but can provide an update next week.

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning

We Appreciate Your Feedback!

Please take a moment and fill out our EPIC-LA customer experience survey by clicking on the link below:

<https://bit.ly/LACoCSSSurvey>

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov

From: Steve Kaplan <sk.landuselaw@gmail.com>
Sent: Thursday, February 4, 2021 12:18 PM
To: Richard Claghorn <rclaghorn@planning.lacounty.gov>
Cc: Kerstin Schlegel <kschlegel@planning.lacounty.gov>
Subject: Re: 32222 Auga Dulce Canyon Road

CAUTION: External Email. Proceed Responsibly.

Richard,

I would like to set-up a Zoning Permits One-Stop counseling meeting between the undersigned, you and a representative from the Zoning Enforcement unit to discuss a comprehensive strategy to resolve the outstanding issues with reference to the Gardens of Paradise use of the above captioned property site pending the further processing of our CUP application.

Can we set up such a meeting next week?

Please advise.

Thank you,
STEVE KAPLAN
Attorney
16133 Ventura Boulevard, Suite 700
Encino, CA 91436
Office: 818.377.7440
Cell: 818.321.9575
Facsimile: 818.377.7401
E-Mail: sk.landuselaw@gmail.com

From: ~~Richard Ciagnorn~~ <~~rciagnorn@planning.lacounty.gov~~>

Date: Thu, Feb 4, 2021 at 4:29 PM

Subject: 32222 Agua Dulce Canyon Rd.

To: ~~shaul92@gmail.com~~ <~~shaul92@gmail.com~~>, ~~karnier@gmail.com~~ <~~karnier@gmail.com~~>

Cc: ~~Steve Kaplan~~ <~~sk.landuselaw@gmail.com~~>, Kerstin Schlegel <~~kschlegel@planning.lacounty.gov~~>, Samuel Dea <~~sdea@planning.lacounty.gov~~>, Tracy Swann <~~tswann@counsel.lacounty.gov~~>

2G

Good afternoon,

~~As we have informed you on prior occasions, we cannot process a CUP with active violations.~~ As explained previously, you are not authorized to hold events at this location until after you receive approval of the CUP application. Therefore, you must cease holding any events until you obtain an approved CUP. Plot Plan RPP200900080 is not effective for continued operation of the event center.

On October 8, 2020, I requested the following information by November 12, 2020:

1. Submit to Regional Planning a revised site plan by November 12, 2020. The revised site plan should show only the existing structures.
2. Submit to Regional Planning a revised project description by November 12, 2020.
3. Submit to the Department of Public Health the required information for Drinking Water and Onsite Wastewater Treatment System as explained in the attached DPH letter.

I received a revised site plan on November 12, 2020. On November 19, 2020 I requested that changes be made to the site plan, including the following comment:

"The site plan shows a restaurant building on the south parcel. There is no restaurant there currently, so it should not be depicted as a restaurant. It was a snack bar/restaurant in the past, but has not been one for many years, and re-establishing a restaurant here will make the approval process more difficult. It should be labeled as a storage structure, which appears to be its current function."

A revised site plan was submitted on December 28, 2020, but it still shows the restaurant that I had asked to be removed. Please remove the restaurant from the site plan. Also, we still have not received the revised project description requested previously to reflect the modified scope of the project. Please provide this information by February 18, 2021 if you wish to continue the CUP permitting process.

Also, there does not appear to have been any progress toward addressing the Drinking Water and Onsite Wastewater Treatment System requirements of DPH. Please provide evidence that you have hired a consultant to prepare the necessary reports and other information for DPH to review the project.

We reiterate that you are not authorized to continue holding events and must cease holding events in order for us to continue processing the CUP. Thank you.

Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning

We Appreciate Your Feedback!

Please take a moment and fill out our EPIC-LA customer experience survey by clicking on the link below:

<https://bit.ly/LACoCSSSurvey>

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov

Date: Wed, Feb 24, 2021 at 1:34 PM

Subject: Gardens of Paradise

To: Steve Kaplan <sk.landuselaw@gmail.com>

Cc: shaul92@gmail.com <shaul92@gmail.com>, Kerstin Schlegel <kschlegel@planning.lacounty.gov>, Oscar Gomez <ogomez@planning.lacounty.gov>, Samuel Dea <sdea@planning.lacounty.gov>, Tracy Swann <tswann@counsel.lacounty.gov>, karnier@gmail.com <karnier@gmail.com>

2H

Good afternoon Steve,

~~Thank you for providing the revised site plans and project description.~~ Further changes are still needed. There should only be one site plan, and it needs to only include the existing facilities. It must be consistent with the project description. The project description also needs to only include the existing facilities. It should not include background information. You may include that information in a separate document. Please see the attached copy of the project description for additional comments and recommended editorial changes, as well as the attached site plan with notes showing the needed changes. Let me know if you have any questions. Please provide the revisions by March 11. We can't schedule an interdepartmental meeting until we have the revised project description and site plan. This meeting should be to address the issues related to the CUP and should not be used to discuss pending litigation or enforcement issues. Before we schedule the meeting we also need to verify that events being held at the site have ceased and an agreement to not conduct further events until the CUP has been approved and finalized. Thanks.

Richard Claghorn

1

Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning

We Appreciate Your Feedback!

Please take a moment and fill out our EPIC-LA customer experience survey by clicking on the link below:

<https://bit.ly/LACoCSSSurvey>

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov

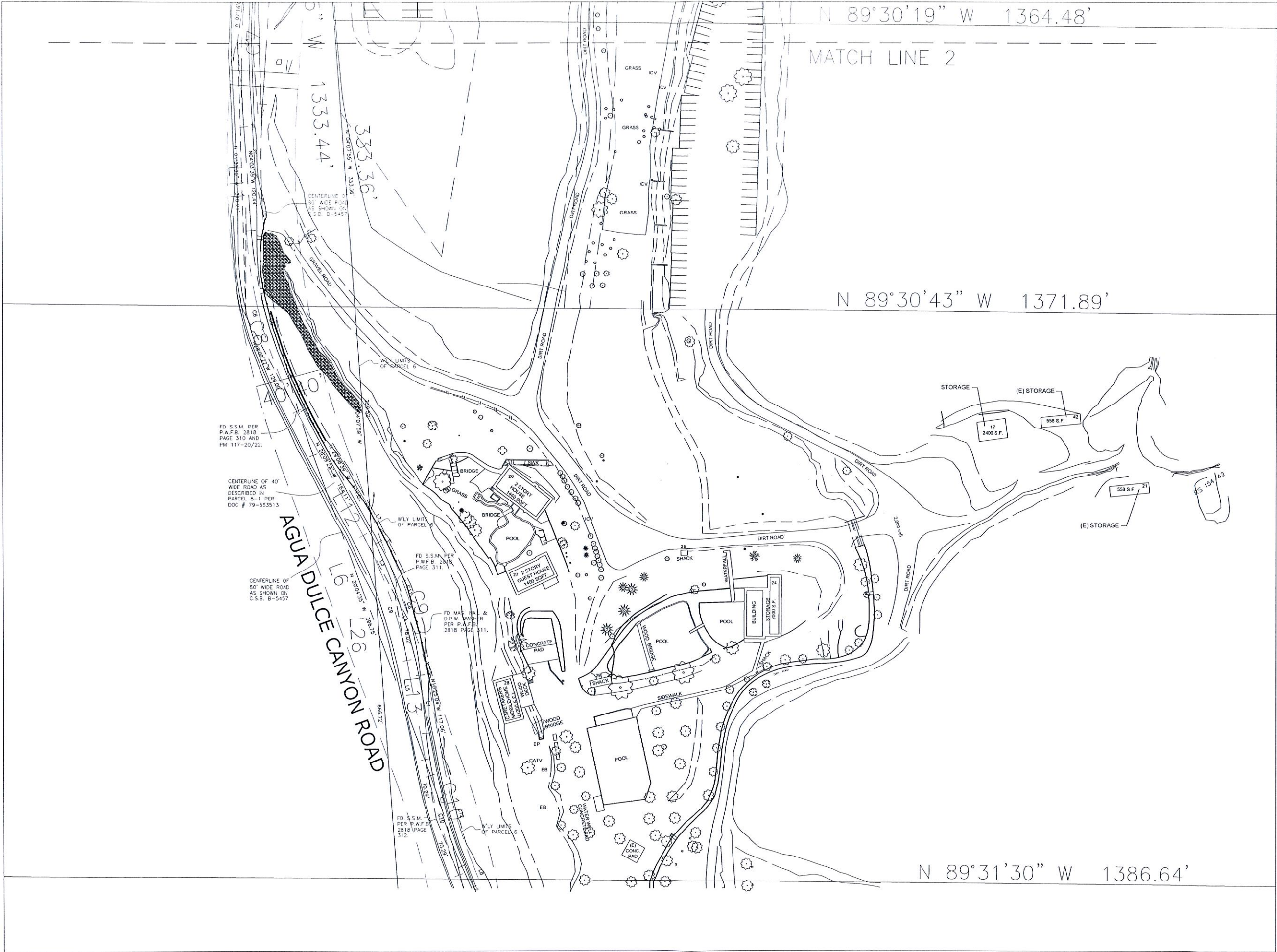
Richard Claghorn
Principal Regional Planner
Zoning Permits North Section
Department of Regional Planning


We Appreciate Your Feedback!

Please take a moment and fill out our EPIC-LA customer experience survey by clicking on the link below:

<https://bit.ly/LACoCSSSurvey>

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov





MI DESIGN
PLANNING
DESIGN
ENGINEERING

15445 VENTURA BLVD., SUITE 367
SHERMAN OAKS, CA 91403
TEL: (818) 402-4485
FAX: (818) 479-9690
www.midesigncorp.com

SHEET NUMBER:	PROJECT NAME AND ADDRESS:	SHEET CONTENTS:	REVISIONS:		DATE:
			NO.	DESCRIPTION	
C-2	BEN AND REEF GARDENS 32222 AGUA DULCE CYN. RD., ST. CLARITA, CA 91390	BUILDINGS MASTER PLAN			

REGISTERED PROFESSIONAL ENGINEER
NO. C53210
Exp. Date 6/30/21
CIVIL
STATE OF CALIFORNIA

OWNER'S NAME & ADDRESS:
RONIT WAIZGEN
32222 AGUA DULCE CYN. RD., ST. CLARITA, CA 91390

SCALE: 1" = 50'

SHEET 2 OF 4

Number	Building Description	Sq. Ft.	Occ. Load	New/ exist	Parcel	Pkg. Req.
1	Storage	2,000	7	N	25	2.3
2	Preparation	2,000	10	N	25	3.3
3	Restrooms	400	0	N	25	0.0
4	Pavilion Canopy	8,205	547	E	25-26	182.3
5	Office	1,915	19	E	26	4.8
6	Restrooms	735	0	E	26	0.0
7	Storage	2,000	8	N	27	2.0
8	Restrooms	735	0	E	26	0.0
9	Storage/Photo Pad	150	N/A	N	27	0.2
10	Guard Shack	47	1	E	26	1.0



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director of Regional Planning

Dennis Slavin
Chief Deputy Director,
Regional Planning

April 20, 2021

Shaul Yakovi
32222 Agua Dulce Canyon Rd.
Santa Clarita, CA 91390

Dear Mr. Yakovi:

**PROJECT NO. R2012-02971-(5)
CONDITIONAL USE PERMIT NO. 201200163
32222 AGUA DULCE CANYON ROAD
(APN: 3212-007-025 THRU 3212-007-028, AND 3212-008-054)**

Hearing Officer Alex Garcia, by his action of April 20, 2021, has denied the above-referenced project. Enclosed are the Hearing Officer's Findings.

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **May 4, 2021**.

Appeals:

Appeals must be submitted through the County's online electronic permit management system (EPIC-LA). For instructions on how to appeal online, please email appeal@planning.lacounty.gov before the end of the appeal period.

The appeal fee for applicants is \$6,939.00. For questions or additional information, please contact Mr. Richard Claghorn of the Zoning Permits North Section at (213) 974-6443, or rclaghorn@planning.lacounty.gov.

Sincerely,

AMY J. BODEK, AICP
Director of Regional Planning

Samuel Dea, Supervising Regional Planner
Zoning Permits North Section

SD:RC

Enclosures: Findings

320 West Temple Street • Los Angeles, CA 90012 • 213-974-6411 • TDD: 213-617-2292



@LACDRP | planning.lacounty.gov

**FINDINGS AND ORDER OF THE HEARING OFFICER
COUNTY OF LOS ANGELES
PROJECT NO. R2012-02971-(5)
CONITIONAL USE PERMIT NO. 201200163**

1. **ENTITLEMENT REQUESTED.** The applicant, Shaul Yakovi, is requesting a Conditional Use Permit ("CUP") to authorize a special event facility in the R-R (Resort and Recreation Zone) Zone pursuant to Los Angeles County ("County") Code Section 22.40.220 in the Zoning Code at the time the CUP was filed on December 19, 2012. The zoning of the project site was changed from R-R to A-1-2 (Light Agricultural, Two-Acre Minimum Required Lot Area) effective December 27, 2012, which was also the effective date of the current Santa Clarita Valley Area Plan. Because the CUP application was filed prior to effective date, it was allowed to be reviewed under the R-R Zone, the former Santa Clarita Valley Area Plan, and the other applicable Zoning Code requirements then in effect.
2. **MEETING DATE.** April 20, 2021
3. **PROCEEDINGS BEFORE THE HEARING OFFICER.** A duly noticed public hearing on the CUP was held online on April 20, 2021 before the Hearing Officer. Staff gave a presentation about the project, including a description of numerous previous requests for the information needed to process the CUP and recommended denial of the pending application due to inactivity. Staff also mentioned additional correspondence received from the applicant's attorney, Mr. Steve Kaplan, on the day prior to the hearing which was provided to the Hearing Officer in a supplemental hearing package and additional information received from him on the day of the hearing which was received too late to include in the supplemental hearing package. After the presentation by staff, the Hearing Officer asked staff if there was a pending Zoning Enforcement case still open on the project site, and staff answered in the affirmative. Mr. Kaplan spoke in support of the project and requested that the Hearing Officer provide additional time so that a meeting could be held with the County Departments reviewing the project in order to review changes that the applicant proposes to significantly reduce the scope of the project. No other speakers testified. The Hearing Officer determined that the applicant had been provided ample opportunities to provide the requested information needed for the project but had failed to do so, deemed the application inactive, denied the CUP application, and closed the public hearing.
4. **LOCATION.** 32222 Agua Dulce Canyon Road, Agua Dulce (Assessor's Parcel Number ("APN") 3212-007-025, 3212-007-026, 3212-007-027, 3212-007-028, and 3212-008-054)
5. The project was filed on December 19, 2012. Since the application was filed, staff of the County Department of Regional Planning ("staff") has asked the applicant for additional materials needed to proceed with the project.
6. The first correction letter from staff was dated June 13, 2013. At the time the CUP was submitted and when the first letter was written, the project site included eight APNs, including the five APNs listed above as well as 3212-004-012, 3212-008-052, and 3212-

008-054. This letter instructed the applicant to submit CUP referral fees for other County Departments (Los Angeles County Department of Parks and Recreation (DPR), Department of Public Health (DPH), and Fire Department (FD), the Environmental Assessment-Initial Study fee and related referral fee for the Department of Public Works (DPW), an application for a Certificate of Compliance (COC), and make numerous corrections to the site plan, application form, project description, and submit other required application materials.

7. The second correction letter from staff was dated May 12, 2015. By this time, three of the original APNs comprising the project site were no longer owned by the applicant. This correction letter was sent to request an updated site plan and related application materials to reflect the change of ownership, as well as the other required information that had still not been provided. This letter listed a due date of August 12, 2015 and stated that the CUP application may be denied due to inactivity if the required information was not provided by this date.
8. A third correction letter from staff was dated July 15, 2015. Revised plans had been provided from the applicant showing the current five APNs while eliminating the APNs which were no longer part of the project ownership. However, the project description had not been revised to reflect this change and most of the other required information had not been provided, including the required fees. This letter listed a due date of October 15, 2015 and stated that the CUP application may be denied due to inactivity if the required information was not provided by this date.
9. A fourth correction letter from staff was dated March 23, 2016. The due date had been extended prior to this date, and the applicant had provided some of the requested materials, although most of the requested items had still not been provided and some required fees, such as the CUP Referral fees, Environmental Assessment Fee and related DPW referral fee, and COC fee, had still not been paid. This letter listed a due date of June 20, 2016 and said the project may be denied due to inactivity if the required information was not provided by this date. This correction letter was sent again to the applicant on August 10, 2016 with some items having been checked off or addressed, although most of the items remained unresolved. On March 24, 2017 the letter was sent to the applicant again to reflect the current fee schedule.
10. On December 3, 2018 staff sent an email to the applicant stating that the CUP application could be scheduled for denial if the required CUP referral fees were not paid by February 4, 2019.
11. On February 6, 2019, with the CUP referral fees still unpaid, a fifth correction letter was sent to the applicant. This letter listed all of the required items that were still outstanding and said the CUP application will be denied due to inactivity unless the necessary items were provided by May 6, 2019, including the CUP referral fees.
12. On April 4, 2019 the applicant paid the CUP referral fees. Staff consulted with DPH, DPW, FD, and DPR for the CUP application. DPR cleared the CUP on July 16, 2019 without providing a letter. Letters were received from DPH, DPW, and FD, which listed

the information that was needed from each department in order for these departments to clear the CUP for public hearing. These letters were provided to the applicant on August 15, 2019 and August 21, 2019 and the applicant was instructed to work with each department directly to address the issues listed in the letters.

13. The County Fire Department sent a letter on August 8, 2019 stating that there are pending items that must be addressed. The County Department of Public Works and County Department of Public Health sent letters on August 14, 2019 stating that there are pending items that must be addressed. These letters included requests for the following additional information: FD-revisions to the site plan to demonstrate compliance with Fire Code access requirements, additional information to determine the fire flow, fire hydrant, and water requirements, and a preliminary fuel modification plan; DPH-reports to demonstrate an adequate potable water supply, reports to demonstrate adequacy of onsite wastewater treatment system, plans for Food Plan Check Program, plans for pool facilities, and a noise study; DPW-traffic access management study, trip generation study, hydrology report, Low Impact Development Plan, geotechnical study, site plan revisions to show line of site, easements, removal of obstructions in the right of way and other information. The above County Departments have still not received the requested information or materials to enable further project evaluation.
14. On January 22, 2020, staff emailed the applicant to inquire about the progress of the CUP with regard to the other County departments. A copy of the February 6, 2019 correction letter was also resent, along with updates to the fees which were still unpaid. There had been no progress on addressing the items from the letter except for payment of the CUP referral fees on April 4, 2019. Staff did not receive any response from the applicant to the January 22, 2020 email.
15. On September 9, 2020 a sixth correction letter was sent by staff to the applicant. This letter was essentially the same as the one sent on February 6, 2019, except the CUP referral fees were no longer listed, the other fees were updated, and the letters from DPH, DPW, and FD for the CUP consultation were referred to and attached. The September 9, 2020 letter stated that the CUP application will be denied unless the necessary information is provided by October 13, 2020.
16. At the request of the applicant, on October 8, 2020 staff sent an email to the applicant extending the deadline to November 12, 2020 to provide an updated site plan and project description in order to keep the application from being denied.
17. After receiving a revised site plan on November 12, 2020, on November 19, 2020 staff emailed the applicant with a list of site plan corrections and a request for a revised project description to reflect changes to the site plan, to be provided as soon as possible.
18. A revised site plan was provided to staff by the applicant on December 28, 2020 but no project description was provided. Staff sent an email on February 4, 2021 with a list of corrections needed for the site plan as well as another request for the project description and a request to submit the necessary information to DPH to meet their drinking water

and onsite wastewater treatment system requirements. This email gave a deadline of February 18 for providing this information in order to keep the CUP application active and avoid scheduling it for denial due to inactivity.

19. On February 11, 2021 Staff offered to set up a meeting with the other County departments reviewing the CUP if an accurate revised site plan and updated project description were provided by February 18, 2021. The purpose of the meeting would have been to determine if the changes to the project to reduce its scope to the existing uses and structures would change the requirements by DPW, DPH and FD that had been provided for the project in 2019, and to assess the viability of the project.
20. On February 17, 2021 the applicant submitted a revised site plan and project description. However, the site plan still required further revisions and the project description was not consistent with the site plan and included additional uses beyond what currently exists on the project site. Staff emailed the applicant on February 24, 2021 with a request for further corrections to the site plan and project description. A due date of March 11, 2021 was provided.
21. On March 9, 2021, the applicant submitted a revised site plan. However, no project description was provided. Because the project description had not been provided by the March 11, 2021 due date, and there had been no progress in addressing the other requirements for the CUP detailed in the September 9, 2020 letter and in previous letters, or in addressing the requirements of the other County departments, staff sent a notice to deny the project due to inactivity on March 18, 2021. This notice listed a hearing date of April 20, 2021 and stated that the applicant must submit written correspondence to staff by April 18, 2021 in order to request to keep the project active and to avoid being scheduled for denial.
22. Although a revised site plan was provided on March 9, 2021, a revised project description and the other previously requested information have not been provided, and staff is unable to further evaluate the project. The applicant has been given numerous extensions over the years since the application was filed in 2012 and has been given plenty of time and opportunities to provide the information necessary for staff to evaluate the project and the CUP request. However, the applicant has failed repeatedly to provide the requested information, while providing only incomplete and partial information, failing to pay all of the required fees, failing to file a COC application, and failing to make demonstrable effort to work with staff and with the other County departments to resolve the issues and show progress regarding the pending CUP application.
23. Staff sent a letter to the applicant dated March 18, 2021 informing the applicant that pursuant to Section 22.222.100 (denial for lack of information) of the County Code, the case would be scheduled before a Hearing Officer for denial due to inactivity on April 20, 2021.
24. The March 18, 2021 letter also directed the applicant to contact staff within 30 days, by April 18, 2021, for the CUP application to remain active.

25. The applicant has failed to submit the required materials, including all of the information requested by FD, DPH, and DPW in 2019, and most of the information in the September 9, 2020 Regional planning letter, including an acceptable project description consistent with the site plan, Environmental Assessment fee and related DPW referral fee, COC application fee, articles of incorporation, site photographs and photo key map, within the required timeframe, which was by April 18, 2021.
26. **ENVIRONMENTAL.** An environmental determination was not made, since action on the project is neither being approved nor undertaken. Therefore, pursuant to the California Public Resources Code Section 15270, the California Environmental Quality Act does not apply to projects which a public agency rejects or disapproves. Therefore, the project qualifies as a Statutory Exemption (Projects Which Are Disapproved) and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

THEREFORE, in view of the findings of fact and conclusions presented above, CUP No. 201200163 is **DENIED**.

SD:RC
4/20/21

d'attaraylaw | law office of mainak d'attaray
Mainak D'Attaray (Bar No. 283999)

Main Office

3780 Kilroy Airport Way, Suite 200
Long Beach, California 90806

All Correspondence, Notices and Pleadings to:

10262 Foothill Boulevard
Lake View Terrace, California 91342

Telephone: (562) 256-7038
Direct: (424) 703-5294
Facsimile: (855) 706-5294
E-mail: mdattaray@dattaraylaw.com

Attorneys for Shaul Yakovi

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES—CENTRAL DISTRICT

COUNTY OF LOS ANGELES, a political
subdivision of the State of California; and
MUNTU DAVIS, M.D., in his capacity as
Health Officer for Los Angeles County,

Plaintiffs,

vs.

BEN AND REEF GARDENS, INC., a
California corporation; SHAUL YAKOVI, an
individual; RONIT WAIZGEN, an individual;
EREZ KARNI, an individual; and DOES 1-50,
inclusive,

Defendants.

Case No.: 20STCV40645

[UNLIMITED CIVIL JURISDICTION]

*Assigned for All Purposes to the Hon. John P.
Doyle, Dept. 58*

**DECLARATION OF STEVE KAPLAN IN
SUPPORT OF DEFENDANT SHAUL
YAKOVI'S OPPOSITION TO
PLAINTIFFS' APPLICATION FOR
MODIFICATION OF THE
PRELIMINARY INJUNCTION**

Date: May 10, 2020

Time: 10:30 a.m.

Dept.: 58

///

///

///

DECLARATION OF STEVE KAPLAN

I, Steve Kaplan, declare:

1. I am an attorney duly licensed to practice before all California courts, in private practice, and counsel for defendant Shaul Yakovi ("Defendant" and/or "Yakovi") in completing the conditional use permitting process related to the property located at 32222 Agua Dulce Canyon Road, Agua Dulce, California (the "Property"). The following is based on my personal knowledge. If called to testify, I could and would do so competently.

2. I was admitted to the State Bar in 1976. From 1977 to 1983, I practiced law with a primary focus on real estate litigation and transactional matters. From 1983 to 1990, I was a real estate developer with projects throughout Los Angeles County. Since 1990 to present, I have been in private practice with my primary practice in land use, zoning and permitting. I am quite familiar with zoning and land use law, specifically nonconforming uses and the conditional use permit process.

3. In my practice, I work primarily with smaller and mid-sized developers who are developing mid-sized projects and require advice and assistance in navigating the conditional use permitting process and other permitting requirements imposed by various regional, county and municipal entities.

4. As it relates to Yakovi and the Property, I was engaged in October 2020 to research and assist with a conditional use permit ("CUP") that has been pending since 2012. I have been working with senior planner Richard Claghorn with the Los Angeles County Department of Regional Planning ("DRP") to complete the CUP.

5. In the course of my research on the prior use of the Property, I discovered that Yakovi purchased the Property in 2008, prior to which it had been the location of a private camp site, a swimming facility, and a therapeutic animal facility. The property was zoned for recreation (R-R-1), which specifically includes uses such as event space for weddings. In 2012, the County

1 rezoned the Property as A-1 agricultural zone, which still includes recreational uses such as the
2 one established and used by Yakovi since 2008.

3
4 6. Yakovi applied for a CUP prior to the zone change in 2012 because he planned to
5 expand the use of the Property by building cabins, a restaurant and other structures. However,
6 these uses have not been undertaken. So, the prior use, which remains the same from when he
7 purchased the Property—an event space and the buildings that existed prior to 2012, was
8 “grandfathered” as an allowed use, or nonconforming use. As explained to Yakovi by the Los
9 Angeles County Department of Regional Planning, the CUP was only required to expand new
10 and planned uses of the Property that did not exist before. Notwithstanding, in the course of my
11 research of the history of Yakovi’s CUP application, I discovered that the Senior Planning
12 Supervisor Robert Glaser sent Yakovi an email on December 24, 2012 through his assistant Susan
13 Tae that Yakovi’s CUP application was deemed complete. A true copy of the email from Glaser
14 to Yakovi, dated February 24, 2012 is attached here as **Exhibit A**.

15 7. From 2012 to 2019, the County allowed Yakovi to operate his business and his
16 nonconforming use without any issue. Based on the County’s allowance, Yakovi applied for
17 multiple building permits and continued to develop and landscape the Property without any
18 objections from the County. Additionally, from 2012 to 2020, Yakovi operated his business
19 without any violations issued against his Property or its nonconforming uses. In fact, I discovered
20 in my research of the history of the Property, despite allowing Yakovi to apply for and pay
21 application fees for numerous building permits, County Building and Safety and DRP never came
22 out to make final inspections so that the permits could be finalized and issued.

23 8. After nearly seven years, on February 6, 2019, Yakovi received his first
24 correspondence from DRP that it required some additional information to process his CUP
25 application despite Glaser’s confirmation on December 24, 2012 that Yakovi’s CUP application
26 was complete.
27
28

9. On September 9, 2020, DRP sent a request for review materials, at which point I was engaged to complete the CUP process. A true copy of DRP's September 9, 2020 letter is attached here as **Exhibit B**. I have been working with Senior Planner Richard Claghorn ever since in trying to again "complete" the CUP application, which was apparently complete until DRP decided seven years later that it was not.

10. Despite working actively to complete the CUP application, on March 18, 2021, DRP abruptly and arbitrarily scheduled the CUP for a Denial Hearing. A true copy of the March 18, 2021 Public Meeting Notice, is attached here as **Exhibit C**. In response, I submitted proof of prior submittals and Yakovi's efforts to keep the CUP application active, which was odd because for nearly seven years DRP had the status of Yakovi's CUP application as "complete." A true copy of my submittal, dated April 16, 2021 is attached here as **Exhibit D**.

10. During this CUP process, the County could have stopped Yakovi's operations at the Property by issuing zoning and/or building code violations at any time, which it chose not to issue until September 2020. Based on my experience with CUP applications in Los Angeles County, this case is unusual in how the County is not allowing the CUP application to proceed while at the same time the County is demanding Yakovi obtain building and fire permits, which they will not issue unless he gets a CUP. I am personally aware that Yakovi has attempted numerous times to apply for permits since the instant action commenced and has been turned away from even submitting his applications.

I declare the foregoing is true under the penalty of perjury under the laws of the State of California; executed this 19th day of November 2020 at Encino, California.

Steve Kaplan

RODRIGO A. CASTRO-SILVA (SBN 185251)
County Deputy

SCOTT KUHN (SBN 190517)
Assistant County Counsel

TRACY D. SWANN (SBN 172899)
Senior Deputy County Counsel

KATHERINE MCKEON (SBN 266757)
Deputy County Counsel

500 West Temple Street, Suite 468
Los Angeles, California 90012

Tel.: (213) 974-1935 | Fax: (213) 680-2165
Email: Tswann@counsel.lacounty.gov

AMNON Z. SIEGEL (State Bar No. 234981)

JASON H. TOKORO (State Bar No. 252345)

ANDREW L. SCHRADER (State Bar No. 307964)

MILLER BARONDESS, LLP

1999 Avenue of the Stars, Suite 1000

Los Angeles, California 90067

Tel.: (310) 552-4400 | Fax: (310) 552-8400

Email: jtokoro@millerbarondess.com

Attorneys for Plaintiffs

PEOPLE OF THE STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES and MUNTU
DAVIS, M.D., M.P.H.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES, CENTRAL DISTRICT

THE PEOPLE OF THE STATE OF
CALIFORNIA, by and through RODRIGO A.
CASTRO-SILVA, County Counsel for the
County of Los Angeles; COUNTY OF LOS
ANGELES, a political subdivision of the State
of California; and MUNTU DAVIS, M.D.,
M.P.H., in his capacity as Health Officer for
Los Angeles County,

Plaintiffs,

v.

BEN AND REEF GARDENS, INC., a
California corporation; GARDENS OF
PARADISE, LLC, a California limited
liability company; SHAUL YAKOVI, an
individual; RONIT WAIZGEN, an individual;
and DOES 1- 50, inclusive,

Defendants.

CASE NO. 20STCV40645

DECLARATION OF RICHARD CLAGHORN IN SUPPORT OF PLAINTIFFS' APPLICATION TO MODIFY PRELIMINARY INJUNCTION AND REQUEST FOR AN ORDER TO SHOW CAUSE RE: SANCTIONS

[Filed Concurrently with Reply; Declarations
of Amnon Z. Siegel, Jason J. Tokoro, Kyle
Steffes]

Date: May 10, 2021
Time: 10:30 a.m.
Dept.: 58

Assigned for All Purposes to:
Hon. John P. Doyle, Dept. 58

Action Filed: October 23, 2020
FAC Filed: December 15, 2020
Trial Date: None Set

508923.4

DECLARATION OF RICHARD CLAGHORN

I, Richard Claghorn, declare as follows:

1. I am a Principal Regional Planner with the County of Los Angeles (the “County”). I have personal knowledge of the facts set forth herein. If called as a witness, I could and would competently testify to the matters stated herein. I make this declaration in support of Plaintiffs’ Application to Modify Preliminary Injunction and Request for An Order to Show Cause Re: Sanctions.

2. I work in the County’s Department of Regional Planning (“DRP”) within its Zoning Permits North Section. DRP is responsible for administering and enforcing the County’s zoning laws.

Background

3. I am familiar with the property known as Gardens of Paradise (“GOP” or the “Property”). The Property is located at 32222 Agua Dulce Canyon Road, Santa Clarita, California 91390, which is in an unincorporated area of the County. The Property consists of five parcels, APNs 3212-007-025, 3212-007-026, 3212-007-027, 3212-007-028, and 3212-008-054.

4. I have personally communicated with Defendant Shaul Yakovi (“Yakovi”) with respect to zoning matters involving the Property for more than a decade. I am familiar with the history of communications between DRP and Yakovi.

5. I have also reviewed the Declaration of Steve Kaplan (“Kaplan Declaration”), which was submitted in support of Yakovi’s Opposition to Plaintiffs’ Application for Modification of the Preliminary Injunction. As set forth below, the Kaplan Declaration misstates the factual record or is otherwise misleading in a number of ways.

There Were No Active Permits When Yakovi Acquired The Property In 2008

6. I want to first address the period of time after Yakovi acquired the Property in 2008, according to Mr. Kaplan. (Kaplan Decl. ¶ 6.)

7. At that time, there were no active permits with DRP on any of the parcels making up the Property. Previously, there had been two permits for the Property (specifically CUP 804-5 and Variance 385-5), which authorized the expansion of a recreational vehicle home park and the

1 operation of a summer camp consisting of up to 55 RV hookups and campsites. These permits
2 both expired in 1996.

3 8. The Property was zoned R-R-1 ("Resort and Recreation, One-Acre Minimum
4 Required Lot Area") in 2008. Because there were no permits for any of the parcels, GOP was
5 only allowed to conduct activities that did not require a permit under the zoning laws.

6 9. Mr. Kaplan asserts there were some uses of the Property, such as an event space for
7 weddings, which had been "grandfathered" in from the time before Yakovi acquired the Property.
8 (Kaplan Decl. ¶¶ 5-6.) That is not accurate. In fact, I advised Yakovi back in 2008 that he would
9 need to obtain new permits to hold weddings and other large events at the Property. Mr. Kaplan
10 even included one of these communications (a December 18, 2008 e-mail thread between me and
11 Yakovi) in Exhibit D to his declaration.

12 10. Specifically, Yakovi told me in 2008 that he wanted to hold large outdoor events,
13 such as weddings, birthday parties, business conferences, and other gatherings at the Property. I
14 advised him that DRP would need to review his proposed plans in order to determine whether
15 GOP would need a ministerial site plan review ("SPR") or a more extensive conditional use permit
16 ("CUP").

17 11. SPR and CUP are types of permits that allow for particular uses of a property. A
18 SPR is used to determine if the proposed land use and activities are consistent with the policies of
19 the County's General Plan, that the use is permitted in the zone, and that the land use and activities
20 meet and comply with all applicable development standards, including parking. Approvals from
21 other County agencies may be required in order to legally establish a use via SPR. A CUP is a
22 discretionary permit that allows property owners to use land in a way that is not typically
23 permitted within a particular zone, if approval is granted. An SPR generally has a simpler
24 application process than a CUP.

25 12. With respect to certain physical improvements to the Property that Yakovi wished
26 to make, I told him in my December 18, 2008 email that a CUP may be needed. For other work, I
27 told him that an SPR would be enough. At no point did I tell Yakovi that using the Property to
28

1 host weddings and other large gatherings was “grandfathered” in from prior years. That was not
 2 the case and I made it clear to him the use would require a CUP or SPR.

3 **Gardens Of Paradise Is Granted An SPR In 2010, But Fails To Obtain The Requisite**

4 **Permits Before The SPR Expired In 2013**

5 13. Within zone R-R, a property owner can lawfully operate an outdoor dance pavilion
 6 only if they receive an SPR. Los Angeles County Code (“LACC”) § 22.16.030-B. GOP applied
 7 for an SPR to hold events at an outdoor dance pavilion, which was granted in 2010.

8 14. The SPR allowed an outdoor dance pavilion, as well as accessory office and
 9 restroom buildings, but it also imposed certain requirements that GOP would have to satisfy
 10 within a specified two-year time period. If the requirements were not met, then the SPR would
 11 expire. Specifically, GOP was required to obtain permits for certain improvements that DRP had
 12 learned had been completed without a permit, to perform certain construction work, and to provide
 13 and maintain the required parking spaces.

14 15. GOP was given a one-time, one-year extension of its SPR in 2012—extending the
 15 deadline to complete the required action to 2013.

16 16. GOP did not secure any of the necessary permits, make the required construction
 17 changes, or provide or maintain the required parking spaces by 2013. As a result, the SPR
 18 expired/terminated in 2013. The use was never legally established, meaning that GOP was never
 19 legally permitted/allowed to hold events at its outdoor dance pavilion/subject property.

20 **Gardens of Paradise Applies For A Conditional Use Permit**

21 17. On December 19, 2012, GOP applied for a CUP. A CUP application must show
 22 that the proposed use will be developed in a manner to mitigate impacts, such as traffic and noise,
 23 so that the use will be made compatible with the surroundings. Among other things, the
 24 application must include a detailed site plan and project description indicating all activities that are
 25 proposed for the site and address “any pertinent factors that could affect the establishment,
 26 operation, and maintenance of the requested use or development.” LACC § 22.158.060.A.

1 18. A CUP application starts with DRP, but other departments are involved in the
 2 review and approval process. An applicant must secure the necessary clearances from the other
 3 County departments for the CUP to be scheduled for a public hearing and ultimately approved.

4 19. Mr. Kaplan states that GOP's CUP application "was deemed complete" by DRP on
 5 December 24, 2012. (Kaplan Decl. ¶ 6.) Mr. Kaplan misstates what it means for an application to
 6 be "complete." An application is considered "complete" by DRP when it is ready to be evaluated
 7 by the department, and it does not mean that the application can be approved just based on the
 8 materials submitted by the applicant. In other words, an application that is "complete" is not
 9 necessarily adequate or can be approved; it simply means that DRP can begin its initial review.

10 20. In fact, it is very common for an applicant whose CUP application is "complete" to
 11 still be required to pay additional fees, to produce additional materials, to come forward with
 12 additional information, and/or to need to make changes to the proposed uses of the property before
 13 the application is ready for approval.

14 21. About one week after GOP applied for the CUP, the zoning of the Property was
 15 changed from R-R-1 to A-1-2 (Light Agricultural, Two-Acre Minimum Required Lot Area). This
 16 zoning change was effective December 27, 2012, which was also the effective date of the current
 17 Santa Clarita Valley Area Plan. Because GOP's CUP application was filed prior to the effective
 18 date of the A-1-2 zoning change, it was allowed to be processed under the former Santa Clarita
 19 Valley Area Plan, and the other applicable zoning standards then in effect.

20 **From 2013 Onwards, Gardens of Paradise Fails To Provide The Missing Information, Pay**
 21 **The Outstanding Fees, Or Make The Other Corrections Required For Its CUP Application**

22 22. Mr. Kaplan states that from 2012 to 2019, the County allowed Yakovi to operate
 23 GOP without any issues—and that it was not until 2019 that DRP first requested additional
 24 information to process the CUP. (Kaplan Decl. ¶¶ 7-8.) That is false.

25 23. I know that because DRP staff, including myself, had numerous communications
 26 with Yakovi during this time period about the missing or incomplete items in GOP's CUP
 27 application. DRP repeatedly advised Yakovi that GOP's CUP application could not be processed
 28 unless certain corrections were made. We warned him the application would be denied unless

1 these issues were timely fixed. This went on for years. Over this period, we went out of our way
2 to assist Yakovi, but he and GOP failed to provide the missing information time after time.

3 24. DRP's first correction letter to Yakovi was sent on June 13, 2013. The letter
4 instructed Yakovi to submit CUP referral fees for the County's Department of Parks and
5 Recreation, Department of Public Health, the Fire Department, the Environmental Assessment-
6 Initial Study, the Department of Public Works, and the application for a Certificate of Compliance.
7 The letter also requested that Yakovi make certain corrections to the site plan, the application
8 form, and the project description, and that he submit other required application materials. A true
9 and correct copy of the June 13, 2013 letter is attached hereto as **Exhibit A**.

10 25. DRP's second correction letter to Yakovi was sent on May 12, 2015. The letter
11 instructed him to submit an updated site plan and other information that was still missing. The
12 deadline for sending these items was August 12, 2015. The letter included a warning that GOP's
13 CUP application might be denied due to inactivity if the required information was not timely
14 provided. A true and correct copy of the May 12, 2015 letter is attached hereto as **Exhibit B**.

15 26. DRP's third correction letter to Yakovi was sent on July 15, 2015. The letter
16 advised Yakovi that the project description had not been revised, that other requested information
17 was still missing, and that the required fees had not been paid by GOP. DRP gave Yakovi until
18 October 15, 2015 to resolve these issues. DRP also warned Yakovi again that GOP's application
19 might be denied due to inactivity if the required information was not timely provided. A true and
20 correct copy of the July 15, 2015 letter is attached hereto as **Exhibit C**.

21 27. DRP's fourth correction letter to Yakovi was sent on March 23, 2016. Most of the
22 requested items from the prior letter were still missing and some required fees, such as the CUP
23 referral fees, Environmental Assessment Fee, and a related DPW referral fee, had still not been
24 paid. In total, the letter identified 35 items that were still needed. DRP again warned that GOP's
25 application might be denied due to inactivity if the required information was not timely provided.
26 A true and correct copy of the March 23, 2016 letter is attached hereto as **Exhibit D**.

27 28. The March 23, 2016 correction letter was sent again to Yakovi on August 10, 2016,
28 with a few items having been checked off or addressed, but with most of the items still unresolved.

1 A true and correct copy of the March 23, 2016 letter, as it was sent on August 10, 2016, is
2 attached hereto as **Exhibit E**.

3 29. The March 23, 2016 correction letter was sent yet again to Yakovi on March 24,
4 2017, this time to reflect the current fee schedule. A true and correct copy of the March 23, 2016
5 letter, as it was sent on March 24, 2017, is attached hereto as **Exhibit F**.

6 30. DRP's fifth correction letter to Yakovi was sent on February 6, 2019. The CUP
7 referral fees remained unpaid, and other required items remained outstanding. In total, the letter
8 identified 29 items that were still needed. A true and correct copy of the February 6, 2019 letter is
9 attached hereto as **Exhibit G**.

10 31. Throughout this time, Yakovi repeatedly told DRP that Defendants were not
11 hosting events or otherwise conducting operations at the Property. Thus, DRP believed that
12 Yakovi was not operating without the necessary permitting. That turned out to be false.

13 **Gardens Of Paradise Fails To Provide Required Information To Other County Departments**

14 32. GOP finally paid the CUP referral fees on April 4, 2019. Shortly thereafter, DRP
15 sent the CUP application referral to other County departments. This meant that other County
16 departments could begin their review of the CUP application. These other County departments,
17 including the Department of Public Health, the Department of Public Works, and the Fire
18 Department, reviewed and determined they needed additional information and materials from
19 GOP. True and correct copies of letters from these other County departments are attached hereto
20 as **Exhibits H-K**.

21 33. Yakovi and GOP failed to provide the information requested or to resolve all of the
22 issues.

23 34. DRP sent a sixth correction letter to Yakovi on September 9, 2020, after Yakovi
24 did not respond to DRP's prior correspondence. The letter was substantially the same as the one
25 sent on February 6, 2019, except the CUP referral fees were no longer listed, the other fees were
26 updated, and the letters from the above departments were referred to and attached. The letter
27 stated the application would be denied unless the necessary information was provided by October
28 13, 2020. A true and correct copy of the September 9, 2020 letter is attached hereto as **Exhibit L**.

35. Between September 2020 and April 2021, the County continued to work with Yakovi on the outstanding issues related to GOP's application. Yakovi and GOP retained Mr. Kaplan in or about September 2020. Thereafter, at Mr. Kaplan's request, the October 13, 2020 deadline was extended by a month to November 12, 2020.

36. At that time, in October 2020, I advised Mr. Kaplan that a CUP application could not be processed by DRP with active violations by the applicant. GOP had active violations because of the events Yakovi was hosting at the Property. In fact, GOP had been issued several citations for those events. I also made clear to Mr. Kaplan that GOP/Yakovi were not permitted to host events at the Property: "[Y]ou are not authorized to hold events at this location until after you receive approval of the CUP application. Therefore, you must cease and desist from holding any events until you obtain an approved CUP." I again advised Mr. Kaplan what information needed to be submitted by GOP by the November 12, 2020 deadline. A true and correct copy of my October 15, 2020 e-mail thread with Mr. Kaplan is attached hereto as **Exhibit M**.

37. I sent another e-mail to Mr. Kaplan on November 19, 2020, advising him that DRP had not received all of the required information to process GOP's CUP application. I also noted a number of issues with the revised site plan. A true and correct copy of my November 19, 2020 e-mail thread with Mr. Kaplan is attached hereto as **Exhibit N**.

38. I exchanged additional communications with Mr. Kaplan and Yakovi in 2021. On February 11, 2021, for example, I sent an e-mail to Yakovi requesting a virtual meeting "to help resolve issues and answer questions about how we move forward in the CUP process." I noted that we needed a revised project description because the prior plan had significant mistakes. A true and correct copy of my February 11, 2021 e-mail thread is attached hereto as **Exhibit O**.

39. GOP failed to address these issues by the deadline set by DRP.

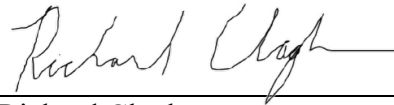
40. On March 18, 2021, I sent a notice to Yakovi advising him that GOP's CUP application would be scheduled for denial, given the longstanding inactive status of this project. A true and correct copy of the notice is attached hereto as **Exhibit P**.

41. On April 20, 2021, the GOP's CUP application was denied by Hearing Officer Alex Garcia. The Hearing Officer found that GOP and Yakovi had not submitted the required

1 materials for the CUP in a timely manner, given the years of delays. A true and correct copy of
2 the Hearing Officer's Findings are attached hereto as **Exhibit Q**.

3 I declare under penalty of perjury under the laws of the State of California that the
4 foregoing is true and correct.

5 Executed on this 26th day of April, 2021, at Los Angeles, California.

6
7 

8
9 Richard Claghorn

INDEX OF EXHIBITS TO THE DECLARATION OF RICHARD CLAGHORN

Exhibit No.	Description	Pg. No.
A.	June 13, 2013 letter from Los Angeles County Department of Regional Planning to Shaul Kayovi/Erez Kami	
B.	May 12, 2015 letter from Los Angeles County Department of Regional Planning to Shaul Kayovi/Erez Kami	
C.	July 15, 2015 letter from Los Angeles County Department of Regional Planning to Shaul Kayovi/Erez Kami	
D.	March 23, 2016 letter from Los Angeles County Department of Regional Planning to Shaul Kayovi/Erez Kami	
E.	March 23, 2016 letter from Los Angeles County Department of Regional Planning to Shaul Kayovi/Erez Kami	
F.	March 23, 2016 letter from Los Angeles County Department of Regional Planning to Shaul Kayovi/Erez Kami with Fee Schedule	
G.	February 6, 2019 from Los Angeles County Department of Regional Planning to Shaul Kayovi/Erez Kami with Fee Schedule	
H.	February 28, 2013 Hearing Notice from Los Angeles County Public Health to Shaul Yakovi	
I.	August 14, 2019 notice from Los Angeles County Department of Public Health Environmental Health	
J.	August 14, 2019 report from Los Angeles County Department of Public Works	
K.	August 15, 2019 report from Los Angeles County Fire Department	
L.	September 9, 2020 letter from Los Angeles County Department of Regional Planning to Shaul Kayovi/Erez Kami	
M.	September 9-October 15, 2020 email thread between Richard Claghorn, Shaul Yakovi, and Steve Kaplan	
N.	November 12-19, 2020 email thread between Richard Claghorn, Shaul Yakovi, and Steve Kaplan	
O.	February 4-11, 2020 email thread between Richard Claghorn, Shaul Yakovi, and Steve Kaplan	
P.	March 18, 2020 email thread between Richard Claghorn and Steve Kaplan	
Q.	April 20, 2021 Hearing Officer's Findings Report	



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director of Regional Planning

Dennis Slavin
Chief Deputy Director,
Regional Planning

**REGIONAL PLANNING COMMISSION
APPEAL FORM**

DATE: April 27, 2021

TO: Ms. Rosie Ruiz
Regional Planning Commission Secretary
Department of Regional Planning
County of Los Angeles
320 W. Temple Avenue, Room 1350
Los Angeles, California 90012
appeal@planning.lacounty.gov

FROM: Steve Kaplan, Counsel for the Applicant
Name

SUBJECT: Project Number(s): R2012-02971-(5)
Case Number(s): CUP No. 201200163
Case Planner: Richard Claghorn
Address: 32222 Agua Dulce Canyon Road
Assessors Parcel Number: 3212-007-025 through 3212-007-028, and 3212-008-054
Planning Area: Santa Clarita Valley

Entitlement Requested:

Conditional Use Permit to authorize Special Event Facility

Related Zoning Matters:

Tentative Tract/Parcel Map No.	
CUP, VAR or Oak Tree No.	201200163
Change of Zone Case No.	
Other	

I am appealing the decision of (check one and fill in the underlying information):

☐ **Director**

☒ **Hearing Officer**

Decision
Date:

April 20, 2021

Public Hearing Date:

April 20, 2021

Hearing Officer's

Name:

Alex Garcia

Agenda Item Number:

6

The following decision is being appealed (check all that apply):

☒ The Denial of this request

☐ The Approval of this request

☐ The following conditions of approval:

List conditions here

The reason for this appeal is as follows:

March 18, 2021 notice from LACDRP (DRP) to applicant stated "If you wish to keep this project active, please send written request to Department, Zoning Permits North..." Counsel for the Applicant so notified the DRP on April 16, 2021 of Applicant's intent to keep the Project active. Applicant seeks to continue working with the DRP and other County departments in order to bring the Project to a CUP public hearing notwithstanding the denial action taken by the Hearing Officer at the April 20, 2021 meeting.

Are you the applicant for the subject case(s) (check one)? ☒ YES ☐ NO

The appeal filing fee as indicated on the Fee Schedule (<https://planning.lacounty.gov/fees>) may be paid online via Epic LA (<https://epicla.lacounty.gov/SelfService/#/home>), or submitted herein (cash, check, credit card or money order). Make checks payable to Los Angeles County.

Shaul Yakovi

Appellant (Signature)

Print Name

32222 Agua Dulce Canyon Road, Santa Clarita, CA 91390
Address

Day Time Telephone Number: 213-923-5225

**DRAFT FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. R2012-02971-(5)
CONITIONAL USE PERMIT NO. 201200163**

1. **ENTITLEMENT REQUESTED.** The applicant, Shaul Yakovi, is requesting a Conditional Use Permit (“CUP”) to authorize a special event facility in the R-R (Resort and Recreation Zone) Zone pursuant to Los Angeles County (“County”) Code Section 22.40.220 in the Zoning Code at the time the CUP was filed on December 19, 2012. The zoning of the project site was changed from R-R to A-1-2 (Light Agricultural, Two-Acre Minimum Required Lot Area) effective December 27, 2012, which was also the effective date of the current Santa Clarita Valley Area Plan. Because the CUP application was filed prior to effective date, it was allowed to be reviewed under the R-R Zone, the former Santa Clarita Valley Area Plan, and the other applicable Zoning Code requirements then in effect.
2. **MEETING DATE.** July 21, 2021
3. **PROCEEDINGS BEFORE THE HEARING OFFICER.** A discussion item for denial for inactivity of the CUP was held online on April 20, 2021 before the Hearing Officer. Staff gave a presentation about the project, including a description of numerous requests for the information needed to process the CUP and recommended denial of the pending application due to inactivity. Staff also mentioned additional correspondence received from the applicant’s attorney, Mr. Steve Kaplan, on the day prior to the hearing which was provided to the Hearing Officer in a supplemental hearing package and additional information received from him on the day of the hearing which was received too late to include in the supplemental hearing package. After the presentation by staff, the Hearing Officer asked staff if there was a pending Zoning Enforcement case still open on the project site, and staff answered in the affirmative. Mr. Kaplan spoke in support of the project and requested that the Hearing Officer provide additional time so that a meeting could be held with the County Departments reviewing the project in order to review changes that the applicant proposes to significantly reduce the scope of the project. No other speakers testified. The Hearing Officer determined that the applicant had been provided ample opportunities to provide the requested information needed for the project but had failed to do so, deemed the application inactive, denied the CUP application, and closed the public hearing. On April 29, 2021 an appeal to the Regional Planning Commission (“Commission”) of the Hearing Officer’s denial due to inactivity was filed by the applicant.
4. **PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION.** A duly noticed public hearing on the CUP was held online on July 21, 2021 before the Commission. *To be inserted after the public meeting to reflect meeting proceedings.*
5. **LOCATION.** 32222 Agua Dulce Canyon Road, Agua Dulce (Assessor’s Parcel Number (“APN”) 3212-007-025, 3212-007-026, 3212-007-027, 3212-007-028, and 3212-008-054)

6. The project was filed on December 19, 2012. Since the application was filed, staff of the County Department of Regional Planning ("staff") has asked the applicant for additional materials needed to proceed with the project.
7. The first correction letter from staff was dated June 13, 2013. At the time the CUP was submitted and when the first letter was written, the project site included eight APNs, including the five APNs listed above as well as 3212-004-012, 3212-008-052, and 3212-008-054. This letter instructed the applicant to submit CUP referral fees for other County Departments (Los Angeles County Department of Parks and Recreation (DPR), Department of Public Health (DPH), and Fire Department (FD), the Environmental Assessment-Initial Study fee and related referral fee for the Department of Public Works (DPW), an application for a Certificate of Compliance (COC), and make numerous corrections to the site plan, application form, project description, and submit other required application materials.
8. The second correction letter from staff was dated May 12, 2015. By this time, three of the original APNs comprising the project site were no longer owned by the applicant. This correction letter was sent to request an updated site plan and related application materials to reflect the change of ownership, as well as the other required information that had still not been provided. This letter listed a due date of August 12, 2015 and stated that the CUP application may be denied due to inactivity if the required information was not provided by this date.
9. A third correction letter from staff was dated July 15, 2015. Revised plans had been provided from the applicant showing the current five APNs while eliminating the APNs which were no longer part of the project ownership. However, the project description had not been revised to reflect this change and most of the other required information had not been provided, including the required fees. This letter listed a due date of October 15, 2015 and stated that the CUP application may be denied due to inactivity if the required information was not provided by this date.
10. A fourth correction letter from staff was dated March 23, 2016. The due date had been extended prior to this date, and the applicant had provided some of the requested materials, although most of the requested items had still not been provided and some required fees, such as the CUP Referral fees, Environmental Assessment Fee and related DPW referral fee, and COC fee, had still not been paid. This letter listed a due date of June 20, 2016 and said the project may be denied due to inactivity if the required information was not provided by this date. This correction letter was sent again to the applicant on August 10, 2016 with some items having been checked off or addressed, although most of the items remained unresolved. On March 24, 2017 the letter was sent to the applicant again to reflect the current fee schedule.
11. On December 3, 2018 staff sent an email to the applicant stating that the CUP application could be scheduled for denial if the required CUP referral fees were not paid by February 4, 2019.

12. On February 6, 2019, with the CUP referral fees still unpaid, a fifth correction letter was sent to the applicant. This letter listed all of the required items that were still outstanding and said the CUP application will be denied due to inactivity unless the necessary items were provided by May 6, 2019, including the CUP referral fees.
13. On April 4, 2019 the applicant paid the CUP referral fees. Staff consulted with DPH, DPW, FD, and DPR for the CUP application. DPR cleared the CUP on July 16, 2019 without providing a letter. Letters were received from DPH, DPW, and FD, which listed the information that was needed from each department in order for these departments to clear the CUP for public hearing. These letters were provided to the applicant on August 15, 2019 and August 21, 2019 and the applicant was instructed to work with each department directly to address the issues listed in the letters.
14. The County Fire Department sent a letter on August 8, 2019 stating that there are pending items that must be addressed. The County Department of Public Works and County Department of Public Health sent letters on August 14, 2019 stating that there are pending items that must be addressed. These letters included requests for the following additional information: FD-revisions to the site plan to demonstrate compliance with Fire Code access requirements, additional information to determine the fire flow, fire hydrant, and water requirements, and a preliminary fuel modification plan; DPH-reports to demonstrate an adequate potable water supply, reports to demonstrate adequacy of onsite wastewater treatment system, plans for Food Plan Check Program, plans for pool facilities, and a noise study; DPW-traffic access management study, trip generation study, hydrology report, Low Impact Development Plan, geotechnical study, site plan revisions to show line of site, easements, removal of obstructions in the right of way and other information. The above County Departments have still not received the requested information or materials to enable further project evaluation.
15. On January 22, 2020, staff emailed the applicant to inquire about the progress of the CUP with regard to the other County departments. A copy of the February 6, 2019 correction letter was also resent, along with updates to the fees which were still unpaid. There had been no progress on addressing the items from the letter except for payment of the CUP referral fees on April 4, 2019. Staff did not receive any response from the applicant to the January 22, 2020 email.
16. On September 9, 2020 a sixth correction letter was sent by staff to the applicant. This letter was essentially the same as the one sent on February 6, 2019, except the CUP referral fees were no longer listed, the other fees were updated, and the letters from DPH, DPW, and FD for the CUP consultation were referred to and attached. The September 9, 2020 letter stated that the CUP application will be denied unless the necessary information is provided by October 13, 2020.
17. At the request of the applicant, on October 8, 2020 staff sent an email to the applicant extending the deadline to November 12, 2020 to provide an updated site plan and project description in order to keep the application from being denied.

18. After receiving a revised site plan on November 12, 2020, on November 19, 2020 staff emailed the applicant with a list of site plan corrections and a request for a revised project description to reflect changes to the site plan, to be provided as soon as possible.
19. A revised site plan was provided to staff by the applicant on December 28, 2020 but no project description was provided. Staff sent an email on February 4, 2021 with a list of corrections needed for the site plan as well as another request for the project description and a request to submit the necessary information to DPH to meet their drinking water and onsite wastewater treatment system requirements. This email gave a deadline of February 18 for providing this information in order to keep the CUP application active and avoid scheduling it for denial due to inactivity.
20. On February 11, 2021 Staff offered to set up a meeting with the other County departments reviewing the CUP if an accurate revised site plan and updated project description were provided by February 18, 2021. The purpose of the meeting would have been to determine if the changes to the project to reduce its scope to the existing uses and structures would change the requirements by DPW, DPH and FD that had been provided for the project in 2019, and to assess the viability of the project.
21. On February 17, 2021 the applicant submitted a revised site plan and project description. However, the site plan still required further revisions and the project description was not consistent with the site plan and included additional uses beyond what currently exists on the project site. Staff emailed the applicant on February 24, 2021 with a request for further corrections to the site plan and project description. A due date of March 11, 2021 was provided.
22. On March 9, 2021, the applicant submitted a revised site plan. However, no project description was provided. Because the project description had not been provided by the March 11, 2021 due date, and there had been no progress in addressing the other requirements for the CUP detailed in the September 9, 2020 letter and in previous letters, or in addressing the requirements of the other County departments, staff sent a notice to deny the project due to inactivity on March 18, 2021. This notice listed a hearing date of April 20, 2021 and stated that the applicant must submit written correspondence to staff by April 18, 2021 in order to request to keep the project active and to avoid being scheduled for denial.
23. Although a revised site plan was provided on March 9, 2021, a revised project description and the other previously requested information have not been provided, and staff is unable to further evaluate the project. The applicant has been given numerous extensions over the years since the application was filed in 2012 and has been given plenty of time and opportunities to provide the information necessary for staff to evaluate the project and the CUP request. However, the applicant has failed repeatedly to provide the requested information, while providing only incomplete and partial information, failing to pay all of the required fees, failing to file a COC application, and failing to make demonstrable effort to work with staff and with the other County

departments to resolve the issues and show progress regarding the pending CUP application.

24. Staff sent a letter to the applicant dated March 18, 2021 informing the applicant that pursuant to Section 22.222.100 (denial for lack of information) of the County Code, the case would be scheduled before a Hearing Officer for denial due to inactivity on April 20, 2021.
25. The March 18, 2021 letter also directed the applicant to contact staff within 30 days, by April 18, 2021, for the CUP application to remain active.
26. The applicant has failed to submit the required materials, including all of the information requested by FD, DPH, and DPW in 2019, and most of the information in the September 9, 2020 Regional Planning letter, including an acceptable project description consistent with the site plan, Environmental Assessment fee and related DPW referral fee, COC application fee, articles of incorporation, site photographs and photo key map, within the required timeframe, which was by April 18, 2021.
27. The Hearing Officer Denied CUP No. 201200163 on April 20, 2021. The applicant had until May 4, 2021 to appeal the decision.
28. The applicant filed the appeal to the Commission on April 29, 2021.
29. **LEGAL NOTIFICATION.** The Commission finds that pursuant to Section 22.222.120 of the County Code, the community was properly notified of the public hearing by mail, newspaper (The Signal and La Opinion), and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website. On May 20, 2021, a total of 37 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as 26 notices to those on the courtesy mailing list for the Soledad Zoned District.
30. **ENVIRONMENTAL.** An environmental determination was not made, since action on the project is neither being approved nor undertaken. Therefore, pursuant to the California Public Resources Code Section 15270, the California Environmental Quality Act does not apply to projects which a public agency rejects or disapproves. Therefore, the project qualifies as a Statutory Exemption (Projects Which Are Disapproved) and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

THEREFORE, in view of the findings of fact and conclusions presented above, CUP No. 201200163 is **DENIED**.

SD:RC
6/24/21

AGUA DULCE TOWN COUNCIL

33201 Agua Dulce Canyon Road * Box Number 8 * Agua Dulce, CA 91390

Website: www.adtowncouncil.com

June 28, 2021

Mr. Richard Claghorn
Department of Regional Planning
County of Los Angeles
320 West Temple Street
Los Angeles, CA 90012

Via Email to: rclaghorn@planning.lacounty.gov

**RE: Project Number R2012-02971-(5)
Regional Planning Commission Public Hearing, July 21, 2021
Appeal of Denial of Conditional Use Permit No. 201200163 due to inactivity
Gardens of Paradise, 32222 Agua Dulce Canyon Road, Agua Dulce**

Dear Mr. Claghorn:

The Agua Dulce Town Council (The Council) appreciates the opportunity to comment on the Hearing Officer's denial due to inactivity on April 20, 2021 that has been appealed to the Regional Planning Commission and will be heard on July 21, 2021. Please include this correspondence as part of the public record.

The applicant, Shaul Yakovi, has been operating an unpermitted special event facility at 32222 Agua Dulce Canyon Road, Agua Dulce since he purchased the property in 2008. The timeline that follows outlines the length of the process, the numerous attempts to resolve outstanding issues and the deadlines not met.

Department of Regional Planning: History of Violations, Conditional Use Permit Filing, Correction Notices, Ignored Deadlines

- 2008-12-18: Notice of Violation issued by Regional Planning for unpermitted structure (tent). This violation has not been adequately resolved because of the failure to comply with site plan review from 2010 and no occupancy permit.
- 2012-11-08: Meeting with applicant and his attorney, County Counsel, and Regional Planning staff to discuss the imminent zone change from R-R-1 to A-1-2 and inclusion of the property within a Significant Ecological Area (SEA).
- 2012-12-19: CUP 201200163 was filed at Dept of Regional Planning (DRP)
- 2012-12-27: Zoning on property changes from R-R-1 to A-1-2 and the property is now within a SEA.
- 2013-06-13: First correction letter was sent by DRP
- 2014-01-29—2014-05-29: Applicant submits numerous requests to reschedule and/or cancel appointments with DRP and meetings never occurred.
- 2015-05-12: Second correction letter sent by DRP (None of the information requested in the first correction letter of 2013-06-13 had been received)

- Don Henry, President
(661) 268-1731
BH33605@aol.com
- Mary Johnson, Secretary
(661) 492-5999
maryjohnson767@gmail.com
- Troy Fosberg, Treasurer
(818) 854-0031
damages22@gmail.com
- Ed Porter, Clerk
(661) 992-3692
porteredward@msn.com
- Candy Clemente, Member
cccryder@aol.com
- Scott Keller, Member
(661) 317-5355
scottwilliamkeller@aol.com
- Lou Vince, Member
(310) 597-7154
Lou@LouVince.com

- 2015-07-15: Third correction letter sent by DRP as an update to the second correction letter of 2015-05-12 detailing correction items and listing a due date of 2015-10-15 or project would be denied due to inactivity.
- 2015-10-08: Meeting with applicant, DRP staff, Zoning Enforcement staff
- 2015-10-15: DRP staff extends due date to 2016-01-18.
- 2016-01-11—2016-02-02: Applicant submits numerous requests to reschedule appointment with DRP.
- 2016-02-02: Applicant submits copy of revised plans to DRP
- 2016-03-23: Fourth correction letter was sent by DRP detailing correction items with a due date of 2016-06-20
- 2016-06-14—2016-08-16: Applicant submits numerous requests to reschedule appointment with DRP.
- 2016-08-10: Meeting with applicant at DRP. Applicant submits revised plans. The fourth correction letter was updated with notes indicating outstanding issues to be resolved and sent via email.
- 2017-05-24: Scheduled meeting at DRP. Applicant doesn't show up. Planner re-sends applicant the fourth correction letter with updated notes indicating outstanding issues to be resolved via email.
- 2017-11-21: DRP sends applicant email to schedule appointment
- 2018-01-15: Appointment set and rescheduled to 2018-01-25
- 2018-01-17: Site visit by DRP staff and Zoning Enforcement staff
- 2018-01-25: Meeting at DRP with applicant. Applicant agrees to pay CUP referral fees within the next 2 weeks.
- 2018-12-03: Email from DRP to applicant requesting payment of CUP referral fees by 2019-02-04 or case could be scheduled for denial.
- 2019-02-06: Fifth correction letter emailed to applicant with a due date of 2019-05-06 or case could be scheduled for denial.
- 2019-04-04: Applicant meets at DRP. Pays CUP referral fees. These fees were requested in the original correction letter of 2013-06-13, six years prior.
- 2019-08-15—2019-08-21: DRP sends letters from Public Works, Fire, and Public Health to applicant via email to resolve the agency issues.
- 2020-01-22: DRP sends email to applicant to check on status and states progress needs to be demonstrated or the CUP may be denied due to inactivity and/or failure to meet requirements.
- 2020-09-09: DRP sends Sixth correction letter with a due date of 2020-10-13 or project would be denied
- 2020-10-08: Extension granted by DRP to 2020-11-12
- 2020-11-12: Applicant submits revised site plan
- 2020-11-20: DRP sends email indicating additional requested information
- 2020-12-28: Applicant submits revised site plan
- 2021-02-04: DRP sends Seventh correction email indicating additional requested information due by 2021-02-18
- 2021-02-11: DRP sends email regarding possible meeting and corrections to site plan due by 2021-02-18
- 2021-02-17: Applicant submits revised site plan and project description
- 2021-02-24: DRP sends email regarding corrections to site plan and project description due by 2021-03-11
- 2021-03-09: Applicant send revised site plan. No revised project description was provided.
- 2021-03-18: DRP sends applicant notice for denial due to inactivity with Hearing Officer on 2021-04-20
- 2021-04-20: DRP Hearing Officer denies CUP due to inactivity

The applicant has operated an unpermitted land use since 2008 and has not made an adequate effort to obtain the required land use permit for business. Additionally, the property has a documented and lengthy history of zoning violations, safety issues, and violations of Los Angeles County Health Orders dating from 2008 thru 2021. The applicant has been given multiple opportunities to proceed. Over nine years there have been seven correction letters, disregarded deadlines, continuance after continuance, and numerous notices of intent to deny due to inactivity. The applicant was unresponsive and submittals were inadequate. DRP has given extreme latitude to the applicant with extensions to deadlines. Nine years is way too long to have a case in process. During the processing, violations on the property continued to mount.

In each of the correction letters, DRP indicated that it is recommended the applicant contact the Agua Dulce Town Council to present his proposed project to the community to gain community support. The applicant has

NOT contacted the Agua Dulce Town Council in any of the nine years the project has been processed. Bypassing community input does not allow the community to weigh in on their concerns with the project. Instead, the Council has fielded many, many community complaints for the loud music that extends into the early morning hours that reverberates off the canyon walls and can be heard up to 2-3 miles away from the property. Additionally, there have been fire concerns and the potential for wildfire events. We live in a Very High Fire Hazard Severity Zone and wild fire threat is a real and necessary concern for everyone in our community. The unpermitted event venue jeopardizes and/or endangers the public health, safety and general welfare of the residents and additionally adversely affects their health, peace, comfort, or welfare. (See section titled Community Concerns/Complaints)

If for no other reason, we feel the Conditional Use Permit needs to be denied because the zoning of the property changed 8 days after the Conditional Use Permit was filed and the property is now included within a Significant Ecological Area. That zoning change was nine years ago and the CUP is still not approved, nor is the Site Plan consistent with the Project Description. The Project Description indicates the proposed development is for the operation of an event center and corporate retreat with banquet facilities and preparation area, a soccer field, basketball courts, swimming pools, fishing ponds, equestrian stables, and tennis courts. Restrooms, dining areas, food preparation storage, and staff facilities will be included. Parking for be available for 350 vehicles and the 55 existing RV hookups will be upgraded to current code. This project is a large commercial venture and is inconsistent with the surrounding area. A new CUP application with sufficient community input aligned with current zoning is the only acceptable way to move forward.

The property owner is unresponsive, uncooperative, and has demonstrated he has no regard to abiding by rules and regulations. During COVID-19, the applicant ignored the Los Angeles County Health Officer Order and hosted events with 500 to 600 guests every weekend and many weeknights during the pandemic. They heavily advertised via social media that they were one of the only large event venues operating in the Los Angeles metro area. (See section titled Temporary Restraining Order)

Community Complaints/Concerns

There have been various ongoing community concerns and complaints about the property since 2008. The complaints reached a new level in August of 2020. At that time, Gardens of Paradise was holding events up to 5 days per week with hundreds of patrons. They were blatantly disregarding Los Angeles County Health Officer Order by having events. Additionally, they were endangering the community having events without proper permits that require fire suppression equipment, and thereby putting neighboring lives and property at risk. The loud music that reverberates off the canyon walls was disruptive and harmful to many of the neighbors, some more than 2-3 miles away. Here is a sampling of community concerns:

- One neighbor has a special needs daughter with a seizure disorder. The music and sound checks would start around noon and would continue thru the night into the early morning hours...sometimes up to 4:00 AM. The constant loud music was a source of distress to her daughter.
- Neighbors can't open their windows because the sound is too deafening. Even with closed windows, the sound would permeate the homes.
- Proper sleep was unattainable.
- Neighbors have early morning commitments and couldn't get adequate rest
- The loud music causes dogs to bark, making another audio nuisance
- Neighbors are worried about the safety of traveling on the local roads when the events are closing down and up to 600 people are exiting the property.
- Some neighbors have tried to communicate with Mr. Yakovi or his agents, and have been met with hostility, aggression, and threats.
- Neighbors are concerned that Gardens of Paradise does not follow the law and don't want to live next to criminal activity
- Concerns about health and safety related to water quality issues
- Fire is a consistent fear factor of many community members
- Neighbors have been logging calls with the Sheriff's Dept. Over 30 calls in a 4 month period.
- Interrupted sleep can cause irritability, daytime sleepiness, increased stress, decreased accuracy, tremors, aches and memory lapses or loss.
- Our local high school, Vasquez High School had scheduled their 2020 prom at the venue prior to the pandemic. When the pandemic hit, the school requested their event venue cost of \$17,000.00 to be returned. The school was met with a "no-refund" policy. Their only option was rescheduling the event.

As you are aware, a Prom is a one-time yearly event that the students had raised money for the cost of the venue and have not been refunded for their cancelled event.

Temporary Restraining Order

On October 23, 2020, the County of Los Angeles filed for injunctive relief prohibiting Gardens of Paradise as well as their agents, officers, and employees from conducting, hosting, contracting for, participating in, or attending any large gathering or event at the property. The complaint cited three causes of action: 1) Violating the Health Order by conducting large events and gatherings at Gardens of Paradise, 2) By refusing to comply with the Health Order, Gardens of Paradise is endangering the health and welfare of attendees as well as the community at large, and thus committing a public nuisance, and 3) Violating Los Angeles County Code by failing to obtain the proper permits for the tent installed on the property thereby maintaining the property in an unsafe condition, and Violating Los Angeles County Code by allowing multiple unpermitted uses (outdoor dance pavilion, event facility, two restroom structures, structure housing office/conference room, and guard shack) and undertaking development within a Significant Ecological Area without required Department of Regional Planning review.

On December 18, 2020, Judge Beckloff granted the request for preliminary injunction and prohibited Gardens of Paradise from holding future events until it complies with the County's Fire/Zoning Code by obtaining all necessary permits and fire suppression equipment. Once Gardens has complied with the Fire Code, it can then host *religious services and ceremonies* (e.g., weddings), but only in compliance with the Order and the Department of Public Health's protocols for places of worship. Parties and receptions are not allowed.

Gardens of Paradise made no attempt to remedy the unpermitted structures, resolve the violations, or stop operating a special event venue. Events continued until May 13, 2021, when the Superior Court of California upheld an order to close Gardens of Paradise granting injunctive relief and authorizing Los Angeles County to enter the property and physically secure it so no further events can occur in violation of the injunction. It was only when the physical barriers were placed at the property entrance that the venue stopped holding events.

Conclusion

We do not believe there will be a true intent from the applicant to turn things around and make things right. There is substantial evidence to support the Hearing Officer's denial decision. We are opposed to allowing the CUP to continue and request the Regional Planning Commission uphold the Hearing Officer's denial decision. The applicant can reapply for a Conditional Use Permit for the property with the current zoning designation of A-1-2 and consideration that the property is within a Significant Ecological Area.

Respectfully,

Don Henry

Don Henry, President
Agua Dulce Town Council – 2021

cc: Ms. Kathryn Barger, 5th District Supervisor kbarger@bos.lacounty.gov
Each Member of the County of Los Angeles Regional Planning Commission
Ms. Rosie O. Ruiz, Regional Planning Commission Secretary ruiroz@planning.lacounty.gov
Ms. Amy Bodek, Director of Regional Planning abodek@planning.lacounty.gov
Ms. Stephanie English, 5th District Deputy senglish@bos.lacounty.gov
Mr. Samuel Dea, Supervisor Regional Planner sdea@planning.lacounty.gov
Mr. Mitch Glaser, Assistant Administrator mglaser@planning.lacounty.gov

Re: Conditional Use Permit 201200163 Denial-Gardens of Paradise

Mary Johnson <maryjohnson767@gmail.com>

Tue 5/25/2021 9:18 AM

To: Richard Claghorn <rclaghorn@planning.lacounty.gov>

Cc: English, Stephanie <senglish@bos.lacounty.gov>

CAUTION: External Email. Proceed Responsibly.

Thank you Richard. I appreciate all of the efforts you've put into this.

Mary J

On Mon, May 24, 2021 at 10:26 AM Richard Claghorn <rclaghorn@planning.lacounty.gov> wrote:

Hello Ms. Johnson,

Thank you for your emails regarding Gardens of Paradise. Please see the answers to your questions below in red.

□

From: Mary Johnson <maryjohnson767@gmail.com>

Sent: Wednesday, May 19, 2021 12:51 PM

To: Richard Claghorn <rclaghorn@planning.lacounty.gov>

Cc: English, Stephanie <senglish@bos.lacounty.gov>

Subject: Conditional Use Permit 201200163 Denial-Gardens of Paradise

CAUTION: External Email. Proceed Responsibly.

I'm writing to you to get additional information on the CUP for Gardens of Paradise at 32222 Agua Dulce Canyon Road in Agua Dulce.

I am Secretary of the Agua Dulce Town Council. I discovered the CUP was denied by the Hearing Officer on April 20, 2021 due to inactivity. We were not aware of the Hearing Officer meeting, nor were we even aware that a CUP had been filed. Had we been aware we would have attended and offered both written and oral testimony. I understand the applicant has appealed the denial and the Regional Planning Commission will hear this on July 21, 2021. In order to respond and submit comments, I'd just like to verify and clarify a few points.

- During the appeal process time (from when the Hearing Officer denied until July 21 at the Regional Planning Commission and ultimately the Board of Supervisors) can the CUP continue to be processed? The processing of the CUP cannot be continued unless and until the denial by the Hearing Officer is overturned Meaning, can the applicant submit documents and pay fees...or does everything stop until a determination is made by RPC and/or BOS? We can't accept the fees and application related materials until the inactivity denial is overturned.
- Your Hearing Package and the Supplemental Hearing Package is complete and captures the ongoing process and the multiple chances Regional Planning staff has given the applicant to correct and complete his CUP application.
- The Timeline and Project Site History is a great summary. I've got some questions about the timeline listed below in *highlighted italics*.
 - So it looks like it was 2009 when the current owners bought property and started improvements (*can you verify?*) The applicant bought the property in 2008 according to the

available records.

- In 2009, it appears the property was cited for violations. *What were these violations and were the violations ever resolved?* Regional Planning issued a notice of violation on 12/18/08 for an unpermitted structure (tent) being maintained on the premises with establishing a primary use and without Regional Planning approval. This violation has not been adequately resolved. While the owner/operator received a site plan review approval in 2010 for an outdoor dance pavilion, the owner/operator failed to comply with terms of the approval, which resulted in the expiration of the approval in 2013.
 - In 2012, prior to the zone change from R-R to A-1, LA County staff met with applicant to encourage him to file the CUP prior to the effective date of the zone change and SEA designation. If the CUP was filed prior to the zone change, the CUP would be processed in accordance with the R-R zone with no SEA. *There is mention of a "5-year amortization period." What exactly does that mean?* When there is a zone change, an existing legally established use that is nonconforming under the new zoning regulations may continue to legally operate during a time period known as an amortization period. The length of the amortization period varies depending on the nature of the use. In this case, if the use had been legally established, it would have been subjected to a 5-year amortization period. Because the applicant failed to obtain all required County approvals, including building permits for unpermitted structures, the amortization period was not applicable for this property.
- It looks like the applicant filed his CUP application prior to the zone change. *Has the delay in getting the CUP approved eliminate the project from being processed in accordance with the R-R and no SEA?* The current CUP application was still technically active until it was denied due to inactivity by the Hearing Officer on 4/20 but it was being reviewed under the R-R Zone standards and as though it were still not in an SEA. Or will the current zoning be applicable? If the denial is upheld and a new application is filed on the property in the future, it will be subject to the current zoning (A-1-2) and SEA requirements.
- It looks like you notified the applicant in 2013 of the correction items needed. The CUP referral fees were not paid until 4/4/19. *Is it common practice to work with the applicant for 7 years without the applicant paying for the CUP referral fees?* No, it is not common practice for an applicant to take that long to pay the required fees. Should these fees be paid at the time the application is filed? Ideally, yes, but often it's not clear which additional fees may be needed until a full review of the application materials is done, so it is common for these fees to be collected after application submittal. In this case the applicant was notified in writing of additional fees on 6/13/13.
- Your correspondence refers to site plans and project description. Is there any way you could forward me a copy of those documents? There have been multiple versions of the project description and site plan provided over the years. I've attached the most recent proposed site plan provided on 3/9/21 and project description from 2/17/21. Both of these submittals were either untimely and/or incomplete.

Regional Planning has given the applicant ample assistance and much latitude during this process. Without an active Conditional Use Permit, he continued to hold events from 2009 all the way through May of 2021. It was only when the Los Angeles Superior Court ordered the venue closed due to public health concerns related to COVID-19 that the events ceased. I am fearful that once the public health concerns related to COVID-19 subside, that this venue will open up again, continue to disregard zoning laws and become a hostile complication for our community. Do you know how the property will be treated once the health order is lifted and events would start up again? No, I'm not sure at this time.

I appreciate your efforts in attempting to resolve this and applaud the hearing officer's decision to deny. Looking forward to your reply.

Mary Johnson

661-492-5999

A couple more questions....what current violations does the property have? In 2020, a notice of violation was issued for operating/maintaining a land use (an unpermitted event facility, including an outdoor dance pavilion) on the premises that is not permitted in the zone. And was the property ever given a notice of violation for operating an event venue without having the proper zoning or having a CUP? Yes, in 2020.

I was just looking over the Fee Schedule and see there are fees associated with a CUP time extension. Did Gardens of Paradise pay any fees associated with time extensions? No. The CUP time extension fee is not applicable to this project and was not requested. This fee is for a CUP that has already been approved if the applicant needs additional time to use the permit and establish the use.

Richard Claghorn

Principal Regional Planner

Zoning Permits North Section

Department of Regional Planning

We Appreciate Your Feedback!

Please take a moment and fill out our EPIC-LA customer experience survey by clicking on the link below:

<https://bit.ly/LACoCSSSurvey>

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit planning.lacounty.gov

From: Mary Johnson <maryjohnson767@gmail.com>
Sent: Friday, May 21, 2021 4:50 PM
To: Richard Claghorn <rclaghorn@planning.lacounty.gov>
Cc: English, Stephanie <senglish@bos.lacounty.gov>
Subject: Re: Conditional Use Permit 201200163 Denial-Gardens of Paradise

CAUTION: External Email. Proceed Responsibly.

I was just looking over the Fee Schedule and see there are fees associated with a CUP time extension. Did Gardens of Paradise pay any fees associated with time extensions?

Mary

On Thu, May 20, 2021 at 8:46 AM Mary Johnson <maryjohnson767@gmail.com> wrote:

A couple more questions....what current violations does the property have? And was the property ever given a notice of violation for operating an event venue without having the proper zoning or having a CUP?

Mary

On Wed, May 19, 2021 at 12:51 PM Mary Johnson <maryjohnson767@gmail.com> wrote:

I'm writing to you to get additional information on the CUP for Gardens of Paradise at 32222 Agua Dulce Canyon Road in Agua Dulce.

I am Secretary of the Agua Dulce Town Council. I discovered the CUP was denied by the Hearing Officer on April 20, 2021 due to inactivity. We were not aware of the Hearing Officer meeting, nor were we even aware that a CUP had been filed. Had we been aware we would have attended and offered both written and oral testimony. I understand the applicant has appealed the denial and the Regional Planning Commission will hear this on July 21, 2021. In order to respond and submit comments, I'd just like to verify and clarify a few points.

- During the appeal process time (from when the Hearing Officer denied until July 21 at the Regional Planning Commission and ultimately the Board of Supervisors) can the CUP continue to be processed? Meaning, can the applicant submit documents and pay fees...or does everything stop until a determination is made by RPC and/or BOS?
- Your Hearing Package and the Supplemental Hearing Package is complete and captures the ongoing process and the multiple chances Regional Planning staff has given the applicant to correct and complete his CUP application.
- The Timeline and Project Site History is a great summary. I've got some questions about the timeline listed below in *highlighted italics*.
 - So it looks like it was 2009 when the current owners bought property and started improvements (*can you verify?*)
 - In 2009, it appears the property was cited for violations. *What were these violations and were the violations ever resolved?*
 - In 2012, prior to the zone change from R-R to A-1, LA County staff met with applicant to encourage him to file the CUP prior to the effective date of the zone change and SEA designation. If the CUP was filed prior to the zone change, the CUP would be processed in accordance with the R-R zone with no SEA. *There is mention of a "5-year amortization period." What exactly does that mean?*
 - It looks like the applicant filed his CUP application prior to the zone change. *Has the delay in getting the CUP approved eliminate the project from being processed in accordance with the R-R and no SEA? Or will the current zoning be applicable?*
 - It looks like you notified the applicant in 2013 of the correction items needed. The CUP referral fees were not paid until 4/4/19. *Is it common practice to work with the applicant for 7 years without the applicant paying for the CUP referral fees? Should these fees be paid at the time the application is filed?*
- Your correspondence refers to site plans and project description. Is there any way you could forward me a copy of those documents?

Regional Planning has given the applicant ample assistance and much latitude during this process. Without an active Conditional Use Permit, he continued to hold events from 2009 all the way through May of 2021. It was only when

the Los Angeles Superior Court ordered the venue closed due to public health concerns related to COVID-19 that the events ceased. I am fearful that once the public health concerns related to COVID-19 subside, that this venue will open up again, continue to disregard zoning laws and become a hostile complication for our community. Do you know how the property will be treated once the health order is lifted and events would start up again?

I appreciate your efforts in attempting to resolve this and applaud the hearing officer's decision to deny. Looking forward to your reply.

Mary Johnson

661-492-5999

GARDENS OF PARADISE

Elisa Stern <EStern2@dhs.lacounty.gov>

Fri 5/28/2021 4:15 PM

To: Richard Claghorn <rclaghorn@planning.lacounty.gov>

Hi Mr. Claghorn,

I was just given your information and was told to email you regarding the nuisance property known as Gardens of Paradise. I live across the street at 32443 Agua Dulce Canyon Rd. My husband and I chose the location for the environment. We love to be outdoors whether it is day or night. Since Gardens of Paradise began hosting events at the beginning of Covid when their other venues had to remain closed, we have not been able to enjoy our home or property. The DJ's start setting up equipment in the afternoon and don't finish bombarding us with the awful music until the wee hours of the morning. Even with our windows closed the thumping penetrates and rattles our windows at times. We also have a severely special needs daughter that doesn't sleep if there is noise or light. When she cannot sleep and becomes over tired she has break through seizures. She hadn't had a seizure in years until they started ramping up their events. If this venue is allowed by the county and my daughter continues to have seizures or God forbid stops breathing and passes away, we will be coming after the County for damages.

Like you I am employed by the county as an RN and have to show up to work to care for patients regardless of getting any sleep. It is completely unfair that they have gotten away with having this ridiculous venue in an A1 zoned property in the middle of residential ranches. They have made the entire area suffer while they have lined their pockets and others lost their businesses.

The venue is driving down the local realty market. The home directly across the street is for sale but no one wants to buy it and deal with the noise and traffic of Gardens of Paradise. Realtors have told us that they have to disclose the nuisance properties, so even if we tried to sell and move away we couldn't because no one wants to endure what we have had to. The noise from their events is heard all over the community. We, like many other residents have gone and tried to speak to the owner. He has been on other peoples property and heard for himself how loud it is. By his own admission he said he didn't realize that the sound traveled that far and yet in the end he has told each and everyone of us off and continues to keep the volume maxed. He has also made claims to be Armenian Mafia affiliated and threatens revenge. Our horses and livestock suffer from the noise as well. You can google environmental articles on how constant noise adversely affects horses and livestock let alone people. I would argue that our communities Agricultural Zoning would come first over a commercial party venue.

In addition to the noise, the venue's lighting goes against the Dark Sky Regulations. The entire canyon is lit up like daylight diminishing our ability to enjoy a nights sky and the stars. They also added additional lighting outside their main driveway, that hurts our eyes if we look out that way.

As a community we are deathly concerned with fire. This venue regularly host events with pyrotechnics. Between free standing fire decorative features and bartenders walking around spitting fire, this is dangerous to our safety and homes. In addition to that, they routinely over pour their customers or allow them to drink at will from bottles left on the tables. The result is drunken drivers racing up and down are canyon when they leave the event which many times has led to crashes into other properties, going off the road into embankments, and crashing through Boston Henrys Well Company. Sheriffs would be able to provide you with particular instances I would think.

And speaking of the Sheriffs, we in Agua Dulce are assigned to the Palmdale Sheriffs station. Quite often when we call, we are told outright that the Sheriffs have more life pressing matters then a noise disturbance. Our community feels abandoned and taken advantage of. We pay the same taxes as Palmdale or SCV and yet aren't provided with the same quality and timely service. Officers have told us if they were available at the time that a

call came in, their best response time would be 35-40 minutes. Where does this leave us if the owner of GOP makes good on his threats?

Please do not allow them to have a conditional use permit of any type. Please shut down their other properties in the area as well and make it illegal going forward to open a business like this in an Agricultural Community. We are simple country people. We wake up and feed animals when the sun comes up and go off to work. We don't have the luxury of retreating to a mansion in a quiet Tarzana neighborhood like Shaoul. I'm quite sure he would not put up with this if his neighbor across the street was hosting raging parties most nights where he and his family got no rest. Just because city folk think Agua Dulce is the middle of nowhere and anything goes, this isn't true.

I am happy to testify or do whatever is needed. Thank you in advance for your time.

Sincerely,

Elisa Stern-Mortimer
661-212-8237